

Metropolitan King County Council

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MEMORANDUM

DATE: October 3, 2005

TO: Metropolitan King County Council

FROM: Cheryle A. Broom, County Auditor

SUBJECT: Elections Operations Management Audit

In April 2005 the County Council mandated a management audit of the Elections Section of the King County Records, Elections and Licensing Services Division. In May 2005, the council formally approved the County Auditor's recommendation to contract with The Election Center to conduct the audit. The Election Center is a non-profit organization dedicated to promoting, preserving and improving the democratic process. The Election Center partnered with Strategica, Inc., which provides strategic planning, performance measurement, process improvements financial analysis, management audits and organizational design services.

In initiating this management audit, the County Council's overarching goal was to restore voter confidence in the county's election process. Voter confidence had been eroded due to process breakdowns that occurred in recent elections that were highlighted by the exceptionally close gubernatorial election of 2004. Implementing the recommendations from this report can assist the County in restoring public confidence in its election process.

This report supports many conclusions of the Independent Task Force on Elections and Citizens' Elections Oversight Committee as well as positive changes that are already underway in the Elections Section. Nevertheless, the report finds additional opportunities to increase management controls, strengthen election procedures and practices, and improve the policy environment that drives elections processes.

The report contains twenty-five recommendations to improve election operations moving forward, and to address many of the issues that impacted the accuracy and timeliness of the 2004 election results. It also contains a compilation of professional elections practices that have been valuable to other jurisdictions throughout the nation. This compilation can offer a useful guide for King County in comparing its practices to those of other jurisdictions, and for selecting among many additional opportunities to enhance its operations. The County Executive indicated concurrence with twenty-two of the recommendations and partial concurrence with three recommendations. The Executive Response, including implementation plans, is incorporated into the report as an appendix.

As recognized from the outset, the audit was completed within a compressed schedule of only four months, and some of the audit fieldwork, analysis, and technical reviews coincided with the 2005 Primary Election events. One consequence of this schedule is that the Elections Section

began implementing some improvements during and following the audit fieldwork, which are recognized in the audit report. Another consequence is that the Elections Section was involved in the audit's technical review and in the executive review and comment processes in the midst of the primary election events. Given the compressed audit schedule and critical elections schedule, we sincerely appreciate the Elections Section's responsiveness to the audit requests.

Finally, no authoritative sources or industry standards were available for some of the issues covered in this audit, such as the best management structure for the county's elections system, and the proper size and combination of elections facilities. Recognizing these limitations, we were fortunate to have an audit team comprised of veteran elections professionals who are nationally recognized experts in their field. Instances in which the audit team relied on its professional judgment are noted in the report, along with a statement of the rationale underlying their conclusions.

The auditor's office would like to acknowledge the cooperation received from the management and staff from the Department of Executive Services; the Records, Elections, and Licensing Services Division; and the Elections Section.

KING COUNTY ELECTIONS OPERATIONS



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October 3, 2005
(Updated October 27, 2005)

TABLE OF CONTENTS

	<u>PAGE</u>
Transmittal Memo by the Consultant	ii
Executive Summary	iii
 Chapters	
Chapter 1 Introduction	1
Chapter 2 Leadership	5
Chapter 3 Elections Preparation	19
Chapter 4 Poll Staffing and Accessibility	37
Chapter 5 Post Election Processes	49
Chapter 6 Facilities	55
Chapter 7 Elections Technology	67
Chapter 8 Future Considerations	73
 Appendices	
Appendix 1 Summary of Procedural Breakdowns and Documentation of Improvements Following the 2004 General Election	81
Appendix 2 Project Methodology	85
Appendix 3 Professional Election Practices for King County	87
Appendix 4 Election Activities and Building Features	101
 List of Recommendations & Implementation Schedule	 103
Executive Response	111

ELECTION CENTER

The National Association of Election Officials

October 1, 2005

Cheryle Broom
King County Auditor
516 Third Avenue, Room W1033
Seattle, Washington 98104-3272

Dear Ms. Broom:

Re: Management Audit, King County Election Operation

The attached document represents findings and recommendations of The Election Center and Strategica, acting as election subject matter experts to you, as the King County Auditor, in the conduct of a management audit of the Election Section of REALS.

Scope

The scope of this audit was "...to identify current administrative, procedural, organizational, and systemic deficiencies within the Election Section of the King County Records, Elections, and Licensing Services Division, and to recommend needed service improvements and operations enhancements to minimize errors and ensure timely and appropriate response to errors in the administration of future elections." We have accomplished these objectives.

Audit Period and Methodology

The audit period began on June 7, 2005 and concluded with the submission of our draft report on September 1, 2005. As you know, no elections were conducted during this time period. As a result, we relied on limited observation, but mostly interviews and the review of documentation to form the basis of our findings and recommendations.

The Election Center Team collectively interviewed more than 75 individuals and studied hundreds of pages of documentation during the course of this audit. Appendix 2 contains a listing of these interviews and documents.

Acknowledgement

We gratefully acknowledge the cooperation and assistance of the Election Section Management and Staff during this audit, even though they were preparing for a major election during the period under review.

During the three months that we were conducting this review, we were able to observe significant progress being made in policies and procedures that will have a positive impact on the quality of future elections in King County.

Voter Confidence

We hope that the results of this management audit will be of assistance to the King County Council, the County Executive and to the management and staff of the Election Section in furthering its goal of quality elections that enjoy the full confidence of King County voters.

Respectfully Submitted,



Ernest R. Hawkins, Director
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EXECUTIVE SUMMARY

The Management Audit of the King County Elections Operations was initiated in June 2005 following the Metropolitan King County Council's motion requesting a comprehensive elections audit. The impetus for the audit was a series of operational and procedural issues and errors during the November 2004 General Election and April 2005 Special Election. The primary audit objective was to review election operations to identify opportunities for improved organizational, management, and procedural performance.

SUMMARY OF REVIEW

This management audit provides a comprehensive examination of the county election operations. In addition, the audit presents a compilation of professional elections practices that have been valuable to other jurisdictions throughout the nation. This compilation can offer a useful guide for King County in comparing its practices to those of other jurisdictions, and for selecting among many opportunities to enhance its operations.

The overall conclusion is that elections management and staff have made significant progress in improving the county's election processes. Nevertheless, specific elements of the election operations and state law present challenges and risk for the future. Additional improvements are needed to address the following issues:

- Given the complex and dynamic policy, legal, procedural and technical elections environment, increased oversight and accountability is needed for the Elections Section, which can be achieved by elevating the section to the level of a division. A strong corps of mid-level managers is also needed to ensure that the Elections Section's mission and strategies are successfully implemented.
- State law prescribing elections schedules do not allow sufficient time to complete key activities during the elections preparation and canvassing cycles. Legislative changes could be proposed to reduce opportunities for errors during future elections and to improve the accuracy and timeliness of election results.
- Adequate poll worker guidelines, training resources, and supervision were either not in place or were not effective in preparing temporary elections staff to successfully complete assigned duties. The county also needs more bilingual poll workers and accessible polling sites for voters with disabilities to meet federal and state requirements in 2006. Elections management has made significant strides in developing procedures, training programs and resources to ensure that all poll workers fully understand their duties, and that poll sites are appropriately staffed and accessible, but additional efforts are needed to achieve optimal performance and full compliance with legal requirements.
- Elections operations span three different facilities. During election events, multiple work locations are established on different floors of the King County Administration Building. The dispersed facilities and inadequate working conditions create inefficiencies and may have contributed to ballot processing errors in recent elections. Insufficient security provisions at two sites could also foster the perception and pose a risk that election results could be compromised. Consolidating county facilities and upgrading security could strengthen the efficiency and credibility of the elections process.

- Elections technology is critical to effective election preparations as well as to efficient ballot tabulation and dissemination of election results. Overall, the robust DIMS Net system was an important strategic investment that allows the county to interface with the state and other county users as well as to improve the efficiency of its own elections process. However, due to the timing of the DIMS Net system implementation, documentation of system modifications, and user inexperience and training on the new system were problems during recent elections. To optimize the system's effectiveness, elections management should ensure that system modifications are well documented and compatible with the state's data exchange software, and that all users are fully trained. Elections management should also develop a comprehensive strategic plan to guide future technology enhancements.
- County elections are highly complex due to dual balloting processes with a consistently heavy voter turnout. The county operates 527 poll sites for each election at the same time that a majority of voters choose to vote by mail. Strategic decisions about how the county will vote in the future (e.g., implementing vote-by-mail options, regional voting centers, or maintaining status quo) should be made.

In response to this audit and other studies, as well as on its own initiative, elections management has implemented a number of improvements to increase the effectiveness of elections operations in King County. (See Appendix 1 for discussion of recent improvements and a listing of documents and materials developed by the Records, Elections, and Licensing Services Division during the audit process.) Building on these efforts, this audit offers twenty-five additional recommendations to further enhance election operations, and to address many of the specific issues that impacted the accuracy and timeliness of the 2004 election results.

AUDIT RESPONSES TO KEY QUESTIONS RAISED ABOUT RECENT ELECTIONS

Our findings in relation to key questions asked of the audit team are summarized below.

Do the Records, Elections, and Licensing Services Division and the Elections Section have the management structure and staff resources in place to turn the operation around?

The audit team concluded that the Elections Section should be elevated to the level of a division to increase oversight and accountability. Increased oversight could help prevent similar operational and procedural breakdowns in the future. Another factor contributing to recent election issues is the challenge of building a solid corps of mid-level managers to ensure that the Elections Section's mission and strategies are successfully implemented.

Elections management is also challenged by external factors such as dispersed and inadequate facilities, and unrealistic deadlines and restrictions imposed by state law. Nevertheless, we believe internal deficits that contributed to past problems are linked to the management structure, including incomplete planning, staff turnover, and inadequate staff and poll worker training. These deficits will continue to pose risks without an adequate management structure.

Based on the collective experience and expertise of the members of the audit team, we recommend that the county address the management structure issues by elevating the Elections Section to the level of a division within the Department of Executive Services. In

addition, the Elections Section should recruit immediately to fill vacant mid-level manager and supervisor positions.

Are investments in facilities needed to strengthen the efficiency and effectiveness of county election operations?

Currently, elections operations are spread among three facilities and multiple work locations during election events. The facilities include:

1. The fifth floor of the King County Administration Building is the location for voter registration maintenance, poll worker recruitment and training, canvassing, geographic information system (GIS), candidate services, poll site tabulation, phone bank services, and executive management functions. A second phone bank is also established on the second floor during high volume elections.
2. The mail ballot operation satellite, located a few miles south of downtown, is the site for processing and tabulating the majority of absentee and mail ballots.
3. The elections distribution center is the location where supplies and voting equipment are stored, prepared, and staged for distribution around the county.

The dispersed and poor condition of the elections facilities complicates management and coordination of elections operations and staff. These problems may have contributed to the processing breakdowns that occurred in 2004. Serious concerns were also raised during the audit about the potential for security breaches that could damage the integrity of elections, including gaps in fenced areas and the lack of video surveillance at the mail ballot operation satellite and the distribution center.

The county should address the need for a consolidated election facility in a systematic manner. Recommendations to address facility and security needs include acquiring or leasing a consolidated elections facility for the long term, and implementing security upgrades and procedures as soon as possible.¹

What unresolved legal compliance issues need to be addressed?

Section 203 of the Voting Rights Act obligates King County and other counties with large non-English speaking populations to provide bilingual election material and poll workers (Chinese in King County's case) in selected precincts. Despite significant efforts by the Elections Section, recruiting bilingual poll workers continues to be a major challenge. The county was able to place bilingual poll workers in only 51 percent and 44 percent of targeted polling locations during the 2004 primary and general elections, respectively.

Another compliance issue involves the Elderly and Handicapped Act of 1984 requiring accessible polling places for voters with disabilities, including non-visual accessibility for the blind and visually impaired.² King County has conducted surveys of polling locations to gauge the level of compliance. The survey showed that 429 of 527 polling locations (81 percent)

¹ As indicated in Chapter 6, the Elections Section notified the audit team that some security upgrades have been made since we made our site visits. We have not been able to review the upgrades. However, our detailed recommendations refer to any facilities that the Elections Section might occupy.

² Accessibility is defined as providing voters with disabilities the same opportunity for access and participation (including privacy and independence) as for other voters.

would not meet the 1984 act requirements and could not be used by voters with disabilities without improvements.

Recommendations to rectify these compliance issues include:

- Hiring bilingual temporary employees from a temporary agency as minority language assistants at the polling places;
- Drafting more bilingual King County employees to work as poll workers on election day; and
- Retaining a planner with funds available from the Office of the Secretary of State to prioritize and plan the relocation of polling places to accessible sites after the November 2005 General Election.

What potential process breakdowns could occur in the future?

King County and other Washington counties are under significant pressure to comply with the statutory elections calendar prescribed in Title 29A of the Revised Code of Washington. The statutory calendar provides 10 days to canvass and certify a September primary election, and then 19 days to design, proof, print and distribute absentee ballots for a November general election. The limited timeframe between the primary and general elections does not take into account potential challenges or recounts in the primary, and invites rushed, error-prone work in preparing and mailing ballots. The potential for ballot design and printing errors increases as the popularity and volume of mail balloting grows in King County.

In addition, state law prohibiting the tabulation of mail ballots until Election Day adds to the challenge of producing timely and accurate election results. Other states allow mail ballots to be tabulated up to a week prior to an election (results not released until Election Day).

We recommend that the County Council, in conjunction with other counties, consider pursuing legislation:

- Requiring earlier candidate filing dates—possibly 60 days prior to the primary election—to allow earlier mailing of mail ballots.
- Establishing an earlier primary date possibly in early June or late May.
- Increasing the time allotted for canvass to 28 days, which would entail moving the primary election date back.
- Allowing mail ballots to be fully processed and tabulated up to a week before the official Election Day. This would involve running the ballots through the tabulators, holding the data in storage, and releasing the results at the close of polls on Election Day.

What internal control issues should be addressed immediately?

The Elections Section did not have sufficient controls to prevent unauthorized printing and voting of on-demand ballots. The Elections Section has the capability to print individual ballots in-house from four printers in three separate locations. In addition to the usual, high-volume print run that occurs prior to an election, ballots are printed in-house for voters requesting mail ballots, to replace damaged ballots, and for use in conducting specific logic and accuracy tests. Although most jurisdictions maintain an inventory of spare ballots to handle the demand for spare ballots, King County does not have a practical way to meet the demand without printing

on-demand ballots in different locations especially on the fifth floor of the county administration building.³

However, the current systems do not prohibit printing multiple ballots rather than a single ballot for one voter. If the multiple ballots were printed and removed from the premises, the excess ballots could be used for fraudulent voting. It is not impossible to get unauthorized ballots back into the counting system. The audit team found no evidence that any ballots were printed and misused, but legal prohibitions against ballot tampering do not offset the impact of compromised election results and loss of voter confidence.

Another critical internal control issue involves change control of the DIMS Net system. While King County was installing the DIMS Net system in 2004, modifications were made to the “off-the-shelf” vendor software. For example, the poll worker module was heavily modified to conform to pre-existing King County recruiting practices. The modifications to the “off-the-shelf” software resulted in glitches that required new version releases to correct.

The larger issue related to the DIMS Net system has been the county’s deployment of software version upgrades without receiving a detailed software change log from the vendor. Diebold, Inc. has developed specialized data exchange software that allows its county DIMS Net customers throughout Washington State to connect to a centralized state voter registration system. This connection should be addressed in making future modifications to avoid a situation in which the DIMS Net cannot be supported or upgraded without an expensive re-modification.

It should be noted that the Elections Section recently enhanced its internal controls to safeguard ballot stock from fraudulent or other misuses, and to ensure that requests for new software applications and modifications are compatible with the DIMS Net exchange software. Our recommendations support these actions, and the importance of consistently improving and maintaining effective internal controls to ensure the integrity of elections.

What strategic issues or opportunities should be considered?

Voting by mail is becoming the standard in King County, as 60 to 70 percent of voters cast votes by mail in recent major elections. Voting by mail is also a popular trend among voters in many other states.⁴ Other Washington counties and Multnomah County, Oregon, have switched to all-mail voting, and could provide practical information about their experiences.

However, the potential benefits of all-mail voting for King County may be significant. Costs can be avoided for recruiting poll workers, identifying poll sites, deploying equipment to poll sites, etc. Expenses could also be avoided or reduced for locating and securing accessible polling sites for voters with disabilities.

The disadvantages of all-mail voting include the need for more space and staff to process large quantities of outgoing and incoming mail ballots, and verify the validity of returned ballots. Printing and postage costs will also increase. In addition, many voters prefer the sense of civic

³ This situation is exacerbated by the large number of ballot styles in King County, mostly driven by the statutory requirement to include precinct committee officers on the ballot.

⁴ This trend is particularly pronounced on the west coast where absentee voting laws have become more permissive over the years.

duty that accompanies voting at the neighborhood polling site. Combining mail balloting with a few large, regionally-located voting centers may allow the county to achieve all these benefits. Key considerations include fully updating the voter roll to eliminate duplicate and deceased voters, and amending the state laws to allow expedited tabulation of mail ballots.

We recommend that the County Council, in cooperation with the County Executive, explore the programmatic and financial advantages and disadvantages of three election alternatives: voting exclusively by mail; a combination of voting by mail and operating regional voting centers; and maintaining the status quo.

How can the county restore public trust in the elections system?

As indicated throughout the report, REALS and the Elections Section have already taken steps to prevent the reoccurrence of process breakdowns and other issues. Many of the conditions that caused election process breakdowns in 2004 are still present today, because additional time and resources are required to improve these conditions.

Other jurisdictions have experienced similar election challenges and controversies, but managed to regain public confidence. A key component to restoring voter confidence is conducting one or two election cycles with no apparent breakdowns. Longer-term components include such efforts as actively opening operations to media scrutiny, enlisting policy-makers to become actively involved in the election process, and addressing legal, structural and operational impediments to effective election operations.

Finally, implementing the recommendations from this report can also assist King County in restoring public confidence in its election process. The Executive Response indicates full or partial concurrence with the 25 audit recommendations presented in this report, and interest in working with the County Council to implement election improvements.

1 INTRODUCTION

INTRODUCTION

Council oversight of King County's election function increased steadily from 2002 to 2004 due to a series of management and operational issues. Several reviews were conducted during the three-year period that extensively documented the county's election processes, reported deficiencies and errors, and offered recommendations for improvement. Many recommendations were implemented. However, issues and errors in the election process continued, undermining voter confidence in the county's election process.

County Council and Public Interest in Elections Process Resulted in Motion for Comprehensive Operations Audit

Council and public interest in the county's elections process was heightened after another series of errors occurred during both the November 2004 General Election and April 2005 Special Election. Following the April 2005 Special Election, the council adopted a motion identifying a detailed scope of work for a comprehensive election audit by an independent consultant with recognized expertise in evaluating election operations, and established a completion date of October 1, 2005. The council's overarching goal was to restore voter confidence in the county's election process.

Given the critical issues and public concerns, the council requested that the audit include an examination of specific process breakdowns during the 2004 election season, which are discussed in Appendix 1. The council also identified 14 "Election Characteristics and Processes" for review:

- Organizational structure
- Compliance with federal, state and local election laws
- Physical and operational security

- Workflow designs and management
- Internal controls
- Staffing levels and competencies
- Management levels and competencies
- Training standards and practices
- Policies and procedures
- Documentation
- Adequacy of facilities
- Technical and administrative infrastructure
- Redundancy of systems and procedures
- Productivity and quality standards

The scope of work outlined by the council also called for identification of best practices and peer agencies for benchmarking the Elections Section's performance.

**County Council Selects
The Election Center
and Strategica, Inc., to
Conduct Performance
Audit of Elections
Operations**

AUDIT TEAM

In May 2005, the County Council formally approved the County Auditor's recommendation to contract with The Election Center to conduct the management audit of elections operations. The Election Center is a non-profit organization dedicated to promoting, preserving and improving the democratic process. The Election Center partnered with Strategica, Inc., which focuses on strategic planning, performance measurement, process improvement, financial analysis, management audits and organizational design services. The Election Center and Strategica were selected through a competitive request for proposal process.

ELECTIONS SECTION

The Elections Section serves more than one million active registered voters in King County. Voter services include registering voters, maintaining voter registration records, and administering federal, state and local elections. The elections

process involves processing and qualifying candidates and issues for the ballot; supervising ballot preparation and production; locating and contracting for polling places; recruiting and training poll workers; processing absentee applications and mailing absentee ballots; validating signatures and the eligibility of absentee voters; tabulating ballots; canvassing the vote; certifying the election; and storing ballots and elections materials.

**King County Elections
Section Conducted Six
Elections Annually from
1995 Until 2005**

The Elections Section is organized under the King County Division of Records, Elections and Licensing Services (REALS), one of five divisions in the Department of Executive Services. The Elections Section, which conducted six elections annually from 1995 until 2005, is staffed by 36 permanent employees and a fluctuating number of temporary employees. As many as 4,000 temporary employees may be retained for major elections, with the majority serving as poll workers. Currently, King County has 527 designated polling places within 2,573 voting precincts.

**Management Audit
Focuses on County
Elections' Compliance
to Legal Requirements
and Applicable Best
Practices**

King County elections operations must comply with all legal requirements identified in federal, state and county elections laws. These laws include:

- The Voting Rights Act
- National Voter Registration Act
- Elderly and Handicapped Act of 1984
- Help America Vote Act
- Uniformed and Overseas Citizens Absentee Voting Right Act
- Title 29A Revised Code of Washington
- Chapter 434 Washington Administrative Code
- Title 1 of King County Code

Throughout this report, King County's elections practices, organization, facilities and security have been reviewed in light of legal requirements and applicable best practices. The report also includes an assessment of most procedures and practices

applicable to the 2004 election cycle. Appendix 2 provides more detailed information on the audit project methodology.

A compilation of additional professional elections practices that have been valuable to other jurisdictions throughout the nation is presented in Appendix 3. This compilation can offer a useful guide for King County in comparing its practices to those of other jurisdictions, and for selecting among many opportunities to enhance its operations.⁵

The Management Audit of King County Elections Operations was conducted between June 7 and September 1, 2005 in accordance with applicable generally accepted government audit standards under the supervision of the King County Auditor.

⁵ Our preliminary research found that King County is unique in terms of size and the extent of mail balloting, so identifying true peers to establish meaningful, external performance benchmarks was not feasible. In addition, the outcome of comparative analyses with other jurisdictions might not add value to the project. Due to the compressed schedule and extensive scope of this audit, the team targeted its review instead to the issues of concern raised by the council, responding to the Elections Section's technical review, and identifying professional practices.

2 LEADERSHIP

Dedicated Executive Leadership Needed in the Elections Section

SUMMARY OF REVIEW

The rapidly changing and complex policy, legal, procedural and technical environment of elections demands dedicated executive leadership. It is the conclusion of the audit team that the Elections Section should be elevated in the management hierarchy within King County to ensure that elections operations are visible with focused executive management. Creating an Elections Office or Division would be consistent with best management practices, which call for elevating the most complicated or strategically important functions within an organization.

This audit also finds that the Elections Section has been challenged in building a solid corps of mid-level managers. Recent attempts at recruiting or promoting individuals into key mid-level management positions have been unsuccessful. The highly publicized scrutiny of the Elections Section has not helped in this regard.

Elections Section planning activities were given lower priority in recent years as management focused on more immediate operational challenges, legislative mandates and court directives. As a result, the Elections Section operated without a formally adopted business plan for years, lacking a shared vision of the organization's direction with regard to major policy initiatives, future voting models, large-scale acquisitions, and other considerations.

County Executive and Council Should Consider Elevating the Elections Section to Division Level and Establishing Dedicated Director and Assistant Director Positions

Finally, we found through focus group sessions⁶ that the public seems willing to move forward even though public confidence in the county's elections process was shaken. Public expectations were also high that future elections would not be compromised.

Focused executive leadership is needed given the current election challenges in King County, and the dynamic nature and complexity of the elections environment both nationally and locally. In some jurisdictions, the elections operation is a department. Based on the collective experience of the members of the audit team, and considering the alternative of the status quo, we recommend that the county address management oversight and accountability issues raised in this report by:

- Elevating the Elections Section to the level of a division within the Department of Executive Services; and
- Eliminating the position of Superintendent of Elections and establishing new Director and Assistant Director positions to manage the Elections Division.

We also recommend that the Elections Section management:

- Complete recruitment of skilled mid-level managers with elections experience to fill newly authorized vacant positions;
- Complete, fully implement, and communicate all elements of the business plan; and
- Implement strategies for building confidence in the elections process in cooperation with key county policy makers and the public.

⁶ These focus group sessions were conducted by REALS.

FINDINGS AND RECOMMENDATIONS

FINDING 1
BEST MANAGEMENT PRACTICES CALL FOR ELEVATING THE MOST COMPLICATED OR STRATEGICALLY IMPORTANT FUNCTIONS WITHIN AN ORGANIZATION.
Four Functional Units Established Within The Elections Section

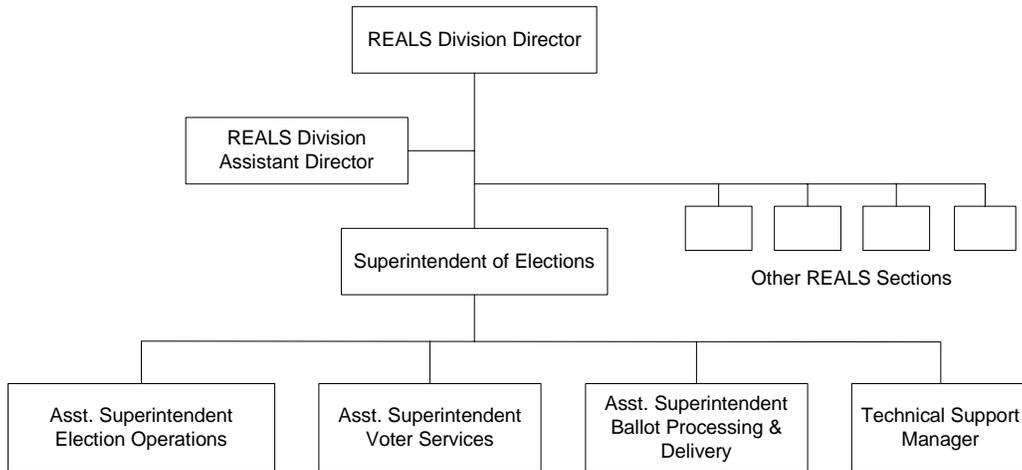
The Elections Section is organized functionally into four groups with each group led by an Assistant Superintendent or a Technical Support Manager:

1. Election Operations—election planning, minority languages, poll worker recruitment, canvass, and candidate filing;
2. Voter Services—voter registration, maintenance of the voter database, provisional ballot processing, petition signature checking, and public information;
3. Ballot Processing, Delivery, and Counting—ballot preparation, warehouse functions, polling place recruitment, ballot counting, and absentee ballot processing; and
4. Technical Support—geographic information systems, precinct boundaries, and information technology support.

The four mid-level managers report directly to a Superintendent of Elections, who in turn reports to the Director of the REALS Division. The Assistant Director of the REALS Division also reports to the Division Director. The following chart shows the Elections Section management structure and reporting relationships to the REALS Division Director and Assistant Director:⁷

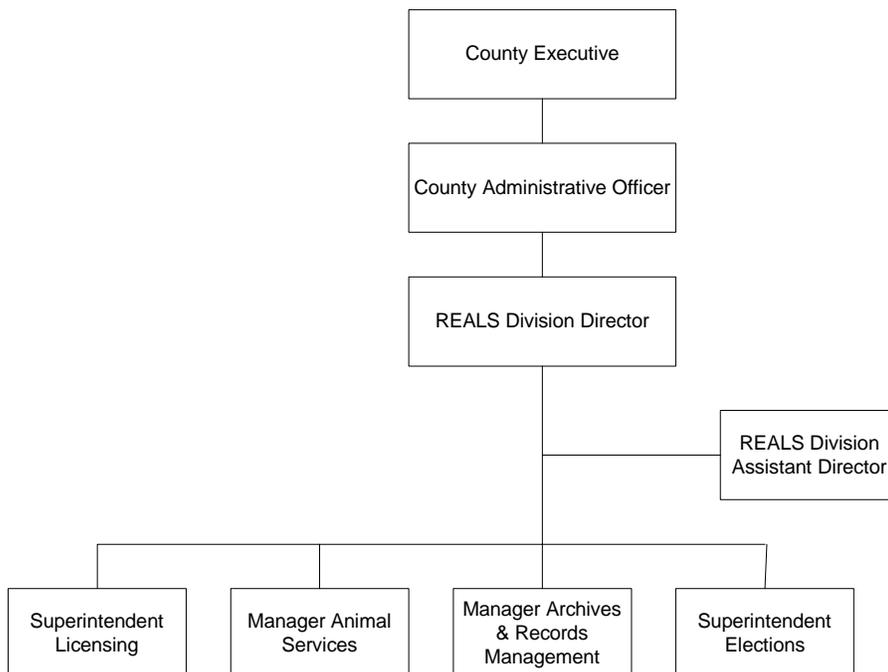
⁷ The Elections Section management structure was documented by an undated, unlabeled organization chart received from REALS management in June 2005.

Elections Section - Current Organization Chart



In addition to Elections, the REALS Division includes four other sections: Recording, Animal Programs and Services, Licensing Services, and Records Management/Archives and Mail Services. Each section is led by a Superintendent or Manager position. The following chart shows the structure of the REALS Division:

Records, Elections and Licensing Services (REALS) - Current Organization Chart



**REALS Division
Encompasses Four
County Operations with
Diverse Missions**

As shown above, the REALS Division is structured as an agency or bureau in that several governmental functions with some similarities are grouped together to take advantage of shared support functions such as accounting and human resources, or to take advantage of shared characteristics.

**STRUCTURAL CHANGES ARE NEEDED FOR COUNTY
ELECTIONS FUNCTION**

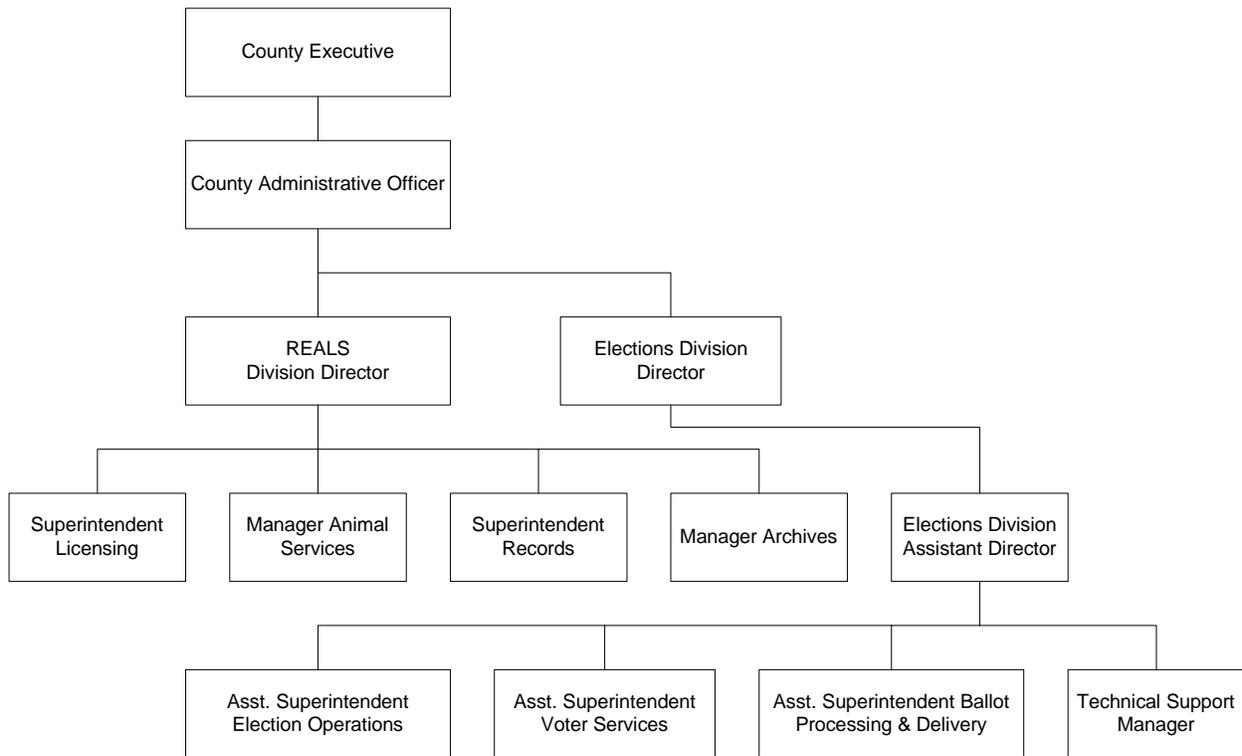
The rapidly changing elections environment demands dedicated executive leadership. The Elections Section should be elevated in the King County management hierarchy to ensure that elections operations are visible. This action would be consistent with best management practices, which call for elevating the most complicated or strategically important functions within an organization.

In addition, the Elections Section should be elevated to ensure continued oversight by county officials. This is particularly important as the Elections Section responds to the challenges discussed throughout this report.

RECOMMENDATION 1

The County Executive, in cooperation with the County Council, should strengthen the management structure of elections by elevating the Elections Section to division status with dedicated elections management reporting to the County Administrative Officer/Director of Executive Services. The following chart shows the proposed structure:

Recommended Organization Chart



FINDING 2

THE ELECTIONS SECTION HAS BEEN UNABLE TO FULLY DEVELOP A STRONG CORPS OF MIDDLE MANAGERS.

As mentioned earlier in this report, the Elections Section has four mid-level managers, who oversee key functional areas plus other key supervisory positions. Three of the six individuals hired or promoted into managerial or supervisory positions since 2002 subsequently left their positions.⁸ Although the Elections Section has several strong, long-term mid-level managers, recent attempts to build a solid mid-level management team have met with mixed success.

⁸ The six hires, promotions and pending termination include the Superintendent of Elections, Assistant Superintendent of Elections-Voter Services, Supervisor of the Mail Ballot Operation Satellite, Assistant Superintendent of Elections-Ballot Processing and Assistant Director of the REALS Division.

**Stable Corps of
Mid-Level Managers
Essential to Solid
Elections Performance**

In most organizations, a stable corps of mid-level managers is essential to solid performance because their primary role is to translate organizational mission and strategies into action. Good mid-level managers typically have the experience to solve problems, recognize and address issues, and lead by example in carrying out the organizational mission. Without a competent corps of experienced mid-level managers, it is difficult to provide direction to staff or translate the vision of policy makers and high-level executives into action. The shortage of these mid-level managers in the Elections Section weakened the organization's ability to withstand the numerous electoral challenges that occurred since 2002.

Given the high turnover in mid-level management positions, the executive managers may want to request the assistance of the county's Human Resources Division in conducting a comprehensive evaluation of the Elections Section's mid-management and supervisory positions. Attention could be given to updating qualifications, job descriptions, and classifications, if needed, to attract high-caliber, experienced candidates to serve as mid-level elections managers and supervisors.

RECOMMENDATION 2

The REALS Director should request the services of the King County Human Resources Department in performing a study of the Elections Section management and supervisory positions, and develop job descriptions and classifications that will attract high-caliber, experienced candidates to fill vacant positions. (Panels consisting of county personnel, election experts both from within Washington State and from other public jurisdictions of a similar size could also be asked to screen and interview applicants to help ensure that the most qualified candidates are hired.) Qualified candidates with proven records of stability and long-term commitment to previous employers should be given strong consideration in future hiring decisions.

FINDING 3**THE ELECTIONS SECTION MANAGEMENT HAS NOT WIDELY COMMUNICATED THE CONTENTS OF ITS BUSINESS PLAN WITH STAFF.****Elections Section
Needs to Broadcast
Mission, Values, and
Strategies to Ensure
Common Vision and
Purpose**

The Elections Section has a draft business plan which follows county standards. However, the contents of this plan were not widely communicated among the elections staff, with the exception of the mission statement. Only select members of the staff had knowledge of the full contents of the business plan, which is contrary to effective organizational principles. Successful organizations communicate and widely broadcast plans, including mission, values, and strategies to ensure that all employees have a common vision and purpose and are aware of their responsibilities for implementing plan objectives. In addition, all employees should be advised of plan milestones and section or individual performance measures for monitoring implementation and achievement of the overall plan goals and objectives.

RECOMMENDATION 3

The Elections Section management should make the business plan visible by broadcasting all elements of the plan widely among the section staff and ensure that all personnel are advised of their roles and responsibilities for achieving business plan goals and objectives.

FINDING 4**THE DISASTER RECOVERY PLAN FOR THE ELECTIONS SECTION IS INCOMPLETE.**

The Elections Section has drafted a media management plan for emergencies and has completed an information technology recovery plan. However, there is no comprehensive plan that integrates all the elements necessary for holding an election and

relocating critical elections operations, if necessary, in the wake of a terrorist threat, fire, earthquake or other disaster. Such an event on the date of an election or in the weeks preceding an election could be highly disruptive. An effective Elections Section disaster plan would consider the following activities:

- Relocating election supplies and machines,
- Securing of ballots and absentee ballots,
- Planning for law enforcement cooperation,
- Moving the center of operations,
- Maintaining contact with poll workers, troubleshooters and others in the field, and
- Relocating or securing the mail ballot operations.

**Election Section Needs
Comprehensive
Disaster Management
Plan to Ensure
Continuity of
Operations During
Disaster**

Elections Section would not be prepared to run an election effectively in the event of a disaster without detailed procedural information. Effective detailed procedures needed to ensure the continuity of operations in a disaster include:

- Preserving the sanctity of the voting process,
- Preventing or minimizing interruption of the voting process,
- Establishing capacity for protecting the citizens and their right to vote freely and without delay,
- Mobilizing agencies with capabilities to support objectives,
- Providing prompt and effective response to emergencies/disasters, and
- Providing or arranging for aid to reduce hardships caused by emergencies/disasters.

RECOMMENDATION 4 Elections Section management should assign staff to develop a comprehensive disaster plan to ensure the rapid and complete response and recovery of the county elections operations preceding, during, or following an emergency or disaster.

FINDING 5 **AN ELECTION CALENDAR IS NOT PREPARED IN A TIMELY MANNER AND IS NOT USED EFFECTIVELY DURING THE ELECTION SEASON.**

A working election calendar must be prepared far enough in advance of an election to give staff a framework and guidance on responsibilities and deadlines in order to function appropriately and efficiently. A good general rule is to complete a working calendar six to nine months prior to a major election.

**Effective Working
Calendar Provides
Comprehensive View of
Each Election Process**

An effective working calendar also serves to preserve institutional memory of what is required and when it is required in the election process. In addition to timely preparation, the calendar should cover all areas of the election. The entire staff is typically provided with a copy so they have a comprehensive understanding of how various interdependent tasks and units within the office will be carried out during elections. Tasks, assigned staff, and due dates should be listed in sequential date order along with the remaining number of days until the election. Managers and supervisors should be required to sign-off on the master copy of the calendar as tasks are completed before the election, and a single person should be responsible for monitoring the scheduled completion of tasks.

**Delayed Timeframe for
Completion of Event
Calendar Not
Consistent with
Elections Best Practices**

The Elections Section has used various types of work calendars in recent years, and checklists for the September and November 2004 elections. A three-page partial work calendar was created on July 26, 2005, but the calendar only identified 120 tasks in preparation for the September election. The August 4, 2005 version of the calendar listed 335 tasks, with a deadline of August 8th for staff submission of additional tasks. This delayed timeframe for completing the calendar is not consistent with best election practices, which calls for advanced preparation to ensure the smooth conduct of elections.

Preparation of this year's election calendar was delayed due to staffing changes, the follow-up to the 2004 election challenges, and other higher election priorities. The Elections Section did develop a series of checklists preceding the 2005 elections, and has now assigned responsibility for implementation of the event calendar to a mid-level manager. However, delayed preparation, monitoring and supervisory sign-off of a comprehensive calendar creates uncertainty and confusion within the Elections Section, particularly if tasks and deadlines are dependent on the completion of other tasks controlled by multiple units.

RECOMMENDATION 5

A draft event calendar should be completed and circulated at least six months before a primary or general election in the future in accordance with best election practices.

FINDING 6**ALTHOUGH PUBLIC CONFIDENCE IN THE COUNTY'S ELECTION PROCESS IS DIMINISHED, EFFECTIVE 2005 ELECTIONS AND A NEW MEDIA STRATEGY COULD HELP RESTORE PUBLIC CONFIDENCE.**

County government is statutorily obligated to conduct future elections and to ensure that votes are fairly and accurately tabulated.⁹ Public confidence in the county elections process was diminished due to errors that occurred during the November 2004 General Election.

County Takes Various Actions to Correct Procedural Issues and Improve Election Operations

Nonetheless, the county has been responsive to the public and provided detailed explanations of the events that transpired during the weeks following the November 2004 General Election.¹⁰ In addition, the county has taken various personnel, public engagement and procedural actions to rectify conditions that could cause future breakdowns.

The county also retained two firms to conduct a series of focus groups to gauge public attitudes about elections.¹¹ The results were positive given recent election events. Most of the focus group members seemed to indicate that the public was willing to attribute errors in the 2004 election to procedural failures rather than outright fraud, and move on to other pressing county issues. At the same time, many focus group members believed that the September and November 2005 elections must be perceived as fair and accurate to restore public confidence. Focus group members were also interested in improved transparency of future elections so that the public can be readily assured that county elections are administered fairly and accurately.

⁹ RCW 29A.04.216

¹⁰ 2004 Elections Report, Report to King County Executive Ron Sims, February 2005

¹¹ The Connections Group and Rockey, Hill & Knowlton, August 2005

**Elections Section Can
Regain Public
Confidence through
Fair Elections, Effective
Media Relations, and
Active Involvement of
County Officials**

Other election administrators on the west coast¹² have experienced similar election controversies and regained public confidence by taking the following actions:

- Conducting one or two election cycles with no apparent breakdowns. This was the most important factor in restoring public confidence even though some aspects of elections are outside the election administrators' control (e.g., clear-cut winners in the local contests).
- Embracing the local media and opening their operations to media scrutiny. Media relations were also handled by the top election administrator rather than delegated to a public relations specialist.
- Enlisting local policy makers to become actively involved in the election process to influence the restoration of voter confidence.

Elections management recently developed a plan to guide external communications. The media plan, if implemented effectively, will also facilitate communications on election information and improvements to help in restoring public confidence.

RECOMMENDATION 6

The REALS Division Director should ensure that the elections media plan is fully and effectively implemented to facilitate external communications and to help restore public confidence.

¹² Los Angeles County and City of San Francisco are two jurisdictions researched.

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3 ELECTIONS PREPARATION

SUMMARY OF REVIEW

We examined the processes and practices involved in preparing for a major election. These included:

- Election event schedules and deadlines as stipulated in federal and state law;
- Maintaining the accuracy and integrity of the voter roll;
- Printing ballots on demand;
- Written procedures for various pre-election tasks;
- Candidate filing; and
- Election phone banks.

County Elections Processes Rushed by State-Mandated Deadlines

During our review of election preparation activities, we found that:

- State laws prescribing the election schedules did not allow sufficient time to ensure that military and overseas ballots were mailed out within federally recommended timeframes. The timeframes for planning the general elections also significantly overlapped with the timeframes for completing primary election activities. The state timeframe was particularly difficult for King County to meet because of the county's high volume of mail-in ballots.
- State law was also restrictive in restoring voting rights to former felons. Many former felons were unsure of the legal requirements for restoring their civil rights and may register to vote before they are eligible. It was nearly impossible for the county to confirm that former felons who have registered to vote are in fact eligible to do so.

**Backlogged Voter
Signature Scanning
Contributed to
Misplacement of 2004
Ballots**

- Voter registration staff was unable to keep pace with the surge in new registrations prior to the 2004 general election, especially with the simultaneous rollover to a new voter registration system. Backlogged scanning of voter signatures also contributed to the misplacement of several hundred absentee ballots during the 2004 canvass. A statewide voter registration system will be in place in 2006 that may facilitate updating voter registration files and help prevent duplicate registrations.
- Internal controls to prevent unauthorized printing of ballots in the Elections Section offices were not adequate during the 2004 election. Although the Elections Section recently improved its procedures, including use of coded and colored stock, further measures are needed.

We recommend that the Elections Section, in cooperation with county policy makers and officials:

- Propose changes in state laws to allow more time between the primary and general elections as well as earlier beginning and ending dates for candidate filing. Also legislative changes should be proposed to simplify the procedure for restoring civil rights for felons.
- Ensure that all voter signatures are scanned into the voter management system prior to a major election.
- Continue strengthening internal controls to prevent unauthorized ballot printing.

FINDINGS AND RECOMMENDATIONS

FINDING 7
STATE LAW PRESCRIBES UNREALISTIC ELECTION DEADLINES, PARTICULARLY FOR A LARGE COUNTY WITH A HIGH VOLUME OF VOTERS.

Statutorily prescribed election deadlines create tremendous pressure for King County and other Washington counties during election preparations. The shift from poll to mail-in ballots and federal requirements for mailing overseas and military ballots leaves little room for error in preparing for general elections. For example, if ballot design errors or court decisions are made that require reprinting, counties rush to meet the statutory deadlines or completely miss the deadlines.

Federal and State Laws Govern County Election Processes

The following statutes govern the scheduling of some key election activities:

- Revised Code of Washington (RCW) 29A.24.050 establishes the candidate filing period as beginning on the fourth Monday of July through the following Friday of the election year.
- RCW 29A.40.070 stipulates that counties must have sufficient absentee ballots available for absentee voters at least 20 days before any primary, special or general election; mail ballots at least 18 days before the primary or election if requested by a voter at least 19 days before the primary or general; and make every effort to mail ballots to overseas and service voters earlier than eighteen days before a primary or election.
- Title 42 USC Chapter 20, Subchapter I-G (Uniformed and Overseas Citizens Assistance Voting Act) requires states to accept and process valid voter registration and absentee ballot applications from military and overseas voters for

election of candidates to federal office, if the application is received 30 days before the election.

- The Federal Voting Assistance Program of the Department of Defense strongly recommends allowing 45 days to ensure military and overseas voters have time to receive, vote, and return ballots by the applicable state deadlines. Washington State interprets this to mean the timeframe between mailing the ballot until the deadline for its receipt.
- RCW 29A.60.190 states that the canvass must be completed and the election certified no later than 10 days after primary and special elections and, as recently amended, 21 days after a general election.

These legislative mandates essentially allow the county 33 days to design, proof, print and distribute absentee ballots for the September 2005 primary; 10 days to canvass the primary election results and certify the election; 19 days to design, proof, print and distribute absentee ballots for the November 2005 General Election; and 21 days to canvass the general election results and certify the election.¹³

**Restrictive Legislative
Deadlines Invite
Rushed, Error Prone
Work**

The last three deadlines are very difficult to meet, since King County has limited time to fully prepare and mail ballots for the November General Election while simultaneously canvassing and certifying the September primary election. The short time period, which does not take into account potential challenges or recounts in the primary, invites rushed, error-prone work. As the popularity of voting by mail increases, the probability of missed deadlines and mistakes also increases, particularly if ballot errors require time for reprinting. The focus of meeting the 20-day deadline to have absentee ballots available for mailing before the

¹³ In 2004, the statutory deadline for canvassing and certifying elections was 10 days for the primary and 15 days for the general election.

general election also limits the time available to prepare ballots for poll voters. Although these deadlines may not be an issue if there are no exceptions, challenges, or recounts, recent experience has shown that significant potential exists for a challenge or recount.

Longer canvassing timeframes promote more precise ballot counts and reconciliations. Washington State recently extended the general election certification deadline from 15 to 21 days, but the 21-day timeframe is still burdensome for counties with large volumes of ballots.¹⁴ By contrast, California allows 28 days to complete the canvass, Ohio allows 30 days, Iowa allows 27 days, and New York allows 25 days. Given more time, counting and reconciliation processes could be performed with greater precision by Elections Section staff.

**Prior Studies
Recommended that
County Seek Statutory
Changes to State-
Mandated Elections
Deadlines**

The current statutory deadlines create opportunities for errors that undermine voter confidence and subject counties to legal challenge. Prior studies of King County elections recommended that county officials seek statutory changes to establish an earlier date for the primary election. An earlier primary date would in turn allow more time to design, proof, and print ballots and the voters' pamphlet for the general election as well as ensure that mailing deadlines are met for local, military and overseas voters.

RECOMMENDATION 7

The County Council should consider proposing changes to Washington State law that permit candidate filing to begin and end earlier—possibly 60 days prior to Election Day—to allow for more time to mail absentee ballots for primary elections. In addition, the council should consider proposing legislative changes to establish an earlier date for primary elections, possibly in early June or late May, and to allow more time (up to 28 days) for the canvass.

¹⁴ The primary canvass remains at 10 days.

FINDING 8**WASHINGTON STATE LAW ESTABLISHES STRINGENT REQUIREMENTS FOR RESTORING CIVIL RIGHTS TO FORMER FELONS.**

Convicted felons lose their civil rights, including the right to vote, in Washington State. Courts inform counties of new felony convictions, so that convicted felons may be removed from voter rolls. The courts usually send notices to county election offices every two weeks.

**County Elections
Officials Unable to
Confirm that Civil
Rights Restored to
Former Felons Who
Register to Vote**

However, former felons may regain their voting rights under state statutes through a variety of methods depending on the year of conviction and where it occurred.¹⁵ Those convicted in Washington State after 1984 may be issued discharge notices upon completing their sentence and financial obligations. A discharge notice will notify a county auditor that a felon's civil rights were restored, and that a voter registration form must be accepted if otherwise completed. If a former felon signs an affidavit and declares that his/her voting rights are not restricted due to a non-discharged felony, election administrators do not have an expedient way to verify the claim especially if the conviction occurred in another county. Nor do county auditors have an expedient way to periodically search the voter roll and purge former felons who have inappropriately registered. In addition, election administrators do not necessarily have the discretion to refuse to accept a voter registration if it is otherwise completed. Consequently, former felons without restored voting

¹⁵ RCW 9.96.050 states that if the individual is convicted prior to 1984 and incarcerated in the Department of Corrections, the certificate of discharge restoring the felon's civil rights is issued by the state Indeterminate Sentencing Review Board. RCW 9.94A.637 covers those convicted in Washington State. RCW 9.94A.885 covers those convicted those of federal crimes or convicted out-of-state. RCW 9.94A.885 requires a felon to submit a petition for restoration of rights to the State Clemency and Pardon Board.

rights are currently registered to vote in King County and other Washington State counties.

The federal Help America Vote Act requires statewide voter registration systems to be instituted by January 1, 2006. The statewide registration system will assist counties coordinating with the Department of Corrections to ensure that felons are not registered without discharge documentation. The Secretary of State will be required to periodically compare its statewide voter registration list with the Department of Corrections' known felon listing to remove felons' voter registration files. The Elections Section plans to integrate the county's voter registration system with the statewide voter registration system to ensure that illegally registered felons can be purged from the voter registration files and those with legitimately restored rights can be added to the rolls.

RECOMMENDATION 8

None.

FINDING 9

OUTDATED AND INCOMPLETE VOTER REGISTRATION FILES IMPACTED THE ACCURACY OF ELECTION RESULTS.
Backlog of Unscanned Signatures Not Alleviated in Time for General Election

Missing voter signatures were instrumental in misplacing some absentee ballots during the 2004 general election. Some mail ballots were handled as unsigned or missing signature ballots because scanned signatures were not on file for all registered voters. Although the Elections Section organized a second and third shift to enter approximately 150,000 new registered voter signatures into the Data Information Management System (DIMS Net system) prior to the 2004 elections, the backlog of unscanned signatures was not alleviated in time for the general election.

**Timely Processing of
Voter Registration Files
Impacted by New
DIMS Net System
Implementation Prior
to 2004 General
Election**

Several factors hindered the Elections Section's ability to update and maintain accurate voter registration files in 2004:

- Unprecedented numbers of new voters registered during the lead-up to the 2004 general election. Many of the affidavits for new voters arrived late in the cycle, so signatures were not completely scanned prior to the election.
- Elections Section staff did not have sufficient time to become proficient on the new DIMS Net systems, which slowed down electronic scanning and processing of new voter registrations, as well as changes for existing voter registrations.
- Elections Section staff's limited experience with the DIMS Net system, combined with unusually high registration volumes, also led to duplicate registrations for some previously registered voters with name, address or other changes. Although the DIMS Net system provides a module that checks for duplicate voters by flagging voters with the same name and birth date, the system is not sophisticated enough to identify voters who make multiple changes (e.g., name and address). As a result, some registered voters received multiple ballots in the 2004 elections.
- High turnover among Elections Section personnel also hindered accurate voter registration files, so ballots issued to deceased voters, convicted felons, and former felons without restored civil rights may have been misused during the 2004 elections.

**Elections Section Has
Taken Numerous Steps
to Improve Accuracy of
Voter Registration Files
for 2005 Elections**

The Elections Section has taken numerous steps to update and improve the accuracy of the county's voter registration files in preparation for the 2005 elections. After the section mailed out new cards to all King County voters in June 2005 reflecting changes in council districts (i.e., 13 districts reduced to nine districts), approximately 125,000 voters returned their voter

registration cards with requests for changes, which facilitated updating of the county's voter registration files. The Elections Section also transferred the files of voters who have been inactive in national elections for four years or more to an inactive file in accordance with federal election law, and began routinely purging files of deceased voters for whom notices are published in local newspapers.

The Elections Section now maintains weekly and monthly statistics of the volume of new voter registrations, requests for changes, and cancellations to determine staffing needs for future elections. The statistics will enable the Elections Section to pre-plan and hire a sufficient number of temporary staff prior to major elections to assist with anticipated surges in new voter registration workload. Written procedures are also being developed to ensure the complete and timely scanning of new voter registration signatures and correction of all voter registration files prior to each election.

**Statewide Voter
Registration System
Expected to Help All
Washington Counties
Decrease Error Rate**

A further decrease in errors stemming from outdated and incomplete voter registrations can also be expected, as well as more timely file updates, with the implementation of a statewide voter registration system in January 2006. The system will also facilitate the identification of voters with registrations in multiple Washington counties, and centralize the process for removing deceased voters and convicted felons from the voter rolls.

RECOMMENDATION 9

The Elections Section should implement procedures to ensure that scanning of new voter registration signatures and correction of all voter registration files are completed before each election.

FINDING 10**UP-TO-DATE, WRITTEN PROCEDURES HAVE NOT BEEN DEVELOPED AND DISTRIBUTED FOR MANY KEY WORK PROCESSES.**

In its study of the 2002 King County elections, the Office of the Secretary of State determined that the Elections Section had not documented its procedures in an easy-to-use format; placed the procedures in a manual; followed the documented procedures; or reviewed its procedures frequently enough to ensure consistency with current election practices. Our audit review of the Elections Section's procedures manual also found that many procedures were outdated primarily due to legislative and technology changes prior to the 2004 fall elections.

**Temporary Election
Workers Not Provided
Detailed Election
Procedures Prior to
2004 Election**

Although few well-documented procedures were in place for the 2004 election, the Elections Section has made progress in 2005 in documenting procedures for registration affidavits, provisional ballot processing, and poll worker manuals. Many of the procedures, however, were documented in a PowerPoint format that was useful for training purposes, but did not provide sufficiently detailed how-to information typically associated with properly written elections procedures. The Elections Section also did not have individual desk procedures in some areas that could offer new and temporary workers useful information at their fingertips. Without uniform, well-written, easy-to-understand procedures, it is impossible to adequately train temporary workers or guard against loss of knowledge when experienced workers leave.

Procedures that are current, accurate, and user-friendly are critical to every election office. Written procedures are even more important for King County, because it is a large election jurisdiction with operating facilities that are separated by substantial distance and a high volume of ballots during

elections. King County must also rely heavily on its temporary employees, because the small core of experienced full-time staff cannot monitor every task performed. Thus, it is imperative that temporary employees have access to detailed procedures to ensure that critical tasks are properly executed.

RECOMMENDATION 10 The Elections Section should update its procedures annually, and create detailed procedure manuals for all critical election tasks. Priority in developing new, easy-to-use procedures should be given to those tasks that are generally assigned to temporary employees. In addition, the Elections Section should ensure that all workers have desktop procedures that contain as much detail as necessary so that employees have readily available information.

FINDING 11

IMPROVED INTERNAL CONTROLS ARE NEEDED TO ACCOUNT FOR BALLOTS PRINTED IN-HOUSE.

The Elections Section has the capability to print individual ballots in-house in addition to the usual, high-volume print run by Diebold, Inc., that occurs prior to an election. Printing ballots in-house is necessary to supplement the supply of absentee ballots if no inventory is available in the requested ballot style at the mail ballot operation satellite. This is almost always the case if the request is made at the fifth floor headquarters counter, since no ballot inventory is maintained at that location due to lack of space. In addition, ballots are printed in-house during the canvassing process to replace damaged ballots and for use as test ballots during logic and accuracy testing.

Insufficient Controls Established for Printing On-Demand Ballots

The capacity to create ballots for these purposes is reasonable; however, no laws, regulations or internal controls were developed in the past to control printing of on-demand ballots. This was a concern because plain white paper stock without

imprints or watermarks is typically used for on-demand ballots. The Elections Section did not have controls for paper stock (i.e., sequential numbering of stock)¹⁶ and require logs of how many ballots were printed at either the fifth floor headquarters or the mail ballot operation satellite.

Another problem was that three of the four printers capable of printing ballots were in open, unsecured areas. One printer was located at the mail ballot operation satellite and the other two printers were located at the absentee request counter in the fifth floor headquarters. (The printer in the computer room was physically secured in a locked room with limited access.)

Numerous personnel in these locations have authorized password access to the DIMS Net system, which generates the on-demand ballot. Despite system controls to identify the voter and suspend the old ballot, the controls were not designed to prevent the operator from printing multiple ballots. The DIMS Net system was also unable to identify the actual quantity of each ballot printed.

Therefore, it was possible to print multiple ballots when printing for one voter, assuming others were not present to observe the transaction. Ballots could also be removed from the premises, used for fraudulent voting activity, and placed ballots back into the counting system. It would be difficult, but not impossible, to place ballots back into the system.

The audit team found no evidence that any ballots had been inappropriately printed, cast, or counted as described in this section; but ballot tampering is a gross misdemeanor. While legal sanctions against ballot tampering¹⁷ can be imposed by the

¹⁶ Washington Administrative Code 434.230.180 requires sequential numbering of poll ballots but not ballot stock.

¹⁷ RCW 29A.84.410 defines ballot tampering as a gross misdemeanor.

court, the sanctions do not offset the impact of compromised election results and lost voter confidence.

The Elections Section recently instituted or planned to institute better internal controls to safeguard ballot stock from fraudulent or other misuses such as:

- Using different colored and numbered ballot stock at each printing site.
- Requiring supervisors to monitor, record and balance daily ballot on demand activity.
- Reconciling the number of blank ballots received from vendor, the number printed or spoiled, and the number of unused ballots during canvass.
- Limiting access to the DIMS Net system so the print feature is only available to certain users.
- Increasing the number of absentee ballots ordered to reduce the need to print ballots.
- Reducing the need to print ballots by using a common inventory of spare ballot stock available to all election functions. (This would also require a consolidated elections facility.)

RECOMMENDATION 11

The Elections Section should continue instituting new control procedures for printing ballots on demand, such as using common ballot stock.

FINDING 12**LONG-STANDING PRECINCT COMMITTEE OFFICERS STATUTE ADDS UNNECESSARY COMPLEXITY TO BALLOT DESIGN AND OTHER ELECTION PROCESSES.**

Current state law requires precinct committee officers to be nominated and elected from each party for every precinct

designated in the county.¹⁸ Due to the large number of designated precincts in King County (2,573), this can result in 5,100 or more candidate filings and potentially 2,600 different ballot styles to process. These ballot styles must all be duplicated for absentee ballots styles, provisional ballots styles, and Chinese-language versions of each type of ballot style. Direct election of so many precinct committee officers greatly increases the complexity of ballot design, printing, storage, distribution, polling location operations, and vote tabulation. It also significantly increases the opportunities for errors.

These concerns are intensified by restrictive statutory deadlines between the primary and general elections. A long ballot, complicated by numerous precinct committee officer races adds to the pressure of certifying a primary election, and preparing for a general election in as few as three or four weeks. A core issue in prior election process breakdowns has been ballot design, partly driven by the sheer number of designs that needed to be programmed. In contrast, little measurable benefit accrues from direct election of precinct committee officers since the majority of candidates run unopposed in the primary election.

However, both of the major political parties favor electing precinct committee officers. It provides a formal designation for crucial grass roots tasks such as neighborhood get-out-the-vote efforts and poll worker recruiting. The parties also view precinct committee officer positions as an opportunity to recruit candidates and identify future candidates for higher profile offices.

¹⁸ RCW 29A.80.051 states that precinct committee officers must be voted on in primary elections and that a winning candidate must receive at least 10 percent of the vote count for the candidate (e.g., governor, county council) receiving the highest number of votes within the precinct committee officer candidate's party. Since many voters do not vote on precinct committee officer races this 10 percent threshold is often not reached. In addition, most precinct committee officer candidates run unopposed.

**Eliminating
Uncontested Elections
for Precinct Committee
Officers Could Reduce
Elections Costs and
Complexity**

Initiatives have been proposed in the past to eliminate elections for precinct committee officer positions and instead appoint candidates through the political parties. These initiatives have been largely unheeded due to the support of the current system by the major political parties. In contrast to Washington, political parties in other jurisdictions with similar positions (i.e., precinct captains) either appoint precinct committee officers or captains through volunteer solicitations or through an internal party caucus process. Direct election of a precinct captain is rare.¹⁹

A better election model for dealing with unopposed candidates in Washington State exists for Superior Court judges. Article VI, Section 29 of the Washington State Constitution states that candidates for Superior Court judgeships are declared the winner if no other candidates file for the same seat. This greatly reduces the number of judges appearing on ballots and simplifies ballot design, printing and distribution.

Eliminating unopposed precinct committee officers on the primary election ballot could significantly reduce the number of ballot styles depending on the races or measures contested. In addition to reducing the opportunities for errors, the Elections Section would have increased time to provide higher-quality direct voter services, and time to expand long-range elections planning initiatives.

RECOMMENDATION 12

The County Council should consider proposing language to amend RCW 29A.80.051 so that the rules for electing precinct committee officers are more closely aligned with those used in the State Constitution for election of superior court judges. If a precinct committee officer candidate files and is unopposed in the primary election, they should be declared the winner without

¹⁹ The auditors conducted an internet search to identify other jurisdictions that elect precinct captains. None were found.

qualifiers (i.e., margin of victory). This will allow precinct committee officer candidates to experience the election rituals of filing for candidacy without unnecessarily adding complexity to the ballot design.

FINDING 13**THE ELECTIONS SECTION'S PHONE BANK PROCEDURES, EMPLOYEE TRAINING AND SUPERVISION, AND WORK SPACE ARE INADEQUATE.**

A phone bank is activated prior to and during elections to respond to voter inquires regarding polling site locations, registration status and changes, and other election matters. During a major election, the Elections Section typically organizes a phone bank staffed by 70 to 75 temporary workers. (After Election Day, the same facility and temporary workers are assigned to processing provisional ballots and contacting voters to obtain missing information.)

Inconsistent Elections Information Provided by Temporary Workers With Limited Supervision and Training

Due to space restrictions, 40 temporary workers are assigned to a phone bank located on the second floor, and 30 to 35 temporary workers are assigned to the phone bank located on fifth floor of the King County Administration Building. The physical division of the temporary workers, who have limited training, makes supervision difficult. In addition, the temporary workers assigned to the second floor have difficulty hearing and concentrating on callers due to over-crowded conditions and noise levels. Some temporary workers who were interviewed by the audit team indicated that they were uncomfortable with the limited supervision or training, and were aware that inconsistent and incorrect information was provided to voters during the 2004 elections. (The Elections Section attempts to mitigate the demands on the phone bank personnel by encouraging use of its

Web site for consistent, up-to-date election information and public service announcements.)

The phone bank is an important voter service that would ideally be housed in a single location with sufficient space for all temporary workers and supervisors. The phone bank would also be located in close proximity to other voter services. Shared workspace would facilitate consistent supervision and responses to voters. In the interim, the Elections Section plans to designate a phone bank supervisor to monitor calls and the quality of information provided to voters using an electronic mechanism.

During the audit, the Elections Section developed new procedures and interactive training materials for phone bank staff and supervisors. The Elections Section planned to implement the improved procedures and training for the 2005 elections.

RECOMMENDATION 13

The Elections Section should consolidate and locate the entire phone bank in a single area with proximity to other voter services as well as provide sufficient phone lines and space for phone bank staff and supervisors. (Also see related procedural and training recommendations under Recommendation 14.)

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4 POLL STAFFING AND ACCESSIBILITY

SUMMARY OF REVIEW

We examined the processes and practices involved in staffing polling locations, including:

- Recruiting and training poll workers including bilingual poll workers;
- Monitoring poll worker performance; and
- Providing election assistance and access to non-English speaking and disabled voters.

Effective Poll Worker Performance and Deployment of Bilingual Poll Workers Crucial to Elections

We found that the Elections Section needs to improve the training, procedural materials, and performance monitoring systems for poll workers. The Elections Section also needs to increase deployment of bilingual poll workers and use of poll sites with access for disabled persons to comply with federal election statutes.

Key recommendations focus on:

- Developing a comprehensive training program for poll workers.
- Recruiting a full complement of Chinese-speaking poll workers for targeted polling sites.
- Completing a poll site accessibility survey and adopting a replacement strategy for poll sites with restricted access for the voters with disabilities. (Note: A transition to all-mail elections, discussed in Chapter 8, would largely eliminate the necessity of implementing additional accessibility measures.)

FINDINGS AND RECOMMENDATIONS

FINDING 14**ELECTION TRAINING PRACTICES AND WRITTEN PROCEDURES DO NOT ADEQUATELY PREPARE POLL WORKERS FOR A COMPLEX ELECTION ENVIRONMENT.**

Subsequent to the 2004 general election, public attention was directed toward poll workers' activities and procedural lapses at poll sites. One significant procedural lapse that drew public attention was the erroneous placement of 348 provisional ballots in the AccuVote machines that are used to count ballots. This error resulted from poll worker confusion about who was accountable for the provisional voting process at the polls. No one poll worker was designated as a lead to track the provisional ballots.

Another election issue that drew public attention was the discovery of 22 uncounted absentee and provisional ballots in the base units of the AccuVote machines after the election was certified. This error resulted from the failure to adhere to procedures for checking the base units when reconciling ballots after the polls closed, which indicated that the procedures could be strengthened as well as poll worker training.

**Elections Section
Developed New
Procedures to Avoid
Recurrence of 2004
Errors**

The Elections Section has developed new procedures to avoid similar errors in the 2005 elections. The section also created a new poll worker position, Provisional Ballot Judge, who will assume responsibility for ensuring that all provisional ballot voters are logged into the provisional ballot book. Additionally, provisional ballots will be printed in a different colored paper stock with distinct markings to easily distinguish them easily from other poll ballots. Coding has also been designed to ensure that the AccuVote machines cannot count provisional ballots.

The Election Section also instituted new procedures requiring poll workers to record a base unit identification number located on the bottom of the unit on accountability logs when reconciling ballots after the polls close. Poll workers will be unable to see the identification number if any ballots remain in the unit. These new procedures will be tested during the fall 2005 elections.

We also found that the Elections Section training program did not adequately engage and prepare poll workers to properly implement procedures. Poll workers did not receive hands-on training, or an opportunity to touch or work with ballots, or role-play new procedures. Training was conducted in a lecture format without visual aids or interactive opportunities.

**Poll Workers Expressed
Concerns About
Training to Achieve
Proficiency**

Poll workers repeatedly expressed concerns about the effectiveness of training, which was not conducive to asking questions and resolving issues. As election processes become more complex and new voting technology is introduced (such as the accessible voting machine that must be available at each poll site in 2006), poll workers will need even more participatory or interactive training opportunities to achieve proficiency in conducting their duties.

The U.S. Election Assistance Commission's "Best Practices in Election Administration, Management, and Security" indicates that proactive jurisdictions have adopted a more interactive approach in training elections personnel. Poll workers are likely to gain a more thorough understanding of their duties through visual problem solving and interactive training.

In addition to training, another crucial element in preparing poll workers for elections is a current, user-friendly procedural manual. Indeed, Part III, Section A, Chapter 24.1.0 of King County's elections procedural manual recognizes that it is

essential that the poll workers have a complete manual at each polling site to ensure that they are able to satisfactorily perform their assigned functions. The well-intentioned PowerPoint presentations²⁰ were not adequate without the benefit of detailed procedures, flow charts, and checklists that are generally included in effective procedural manuals.

**Poll Workers
Interested in Current,
User-Friendly
Procedures Manual**

Due to time constraints and extensive post-2004 election investigations and litigation, poll workers were concerned that a manual might not be available in time for the fall 2005 elections. Poll workers, who were interviewed, indicated that they repeatedly attempted to comply with complex election procedures without a written, updated procedural manual voters. The continuing absence of an effective manual caused distress that could lead to burnout and poll worker shortages.²¹

The lack of a procedural manual also creates the risk of inconsistent implementation of procedures or non-application of procedures from polling place to polling place, which could become a legal compliance issue. As a hypothetical example, if one poll worker remembers to provide provisional ballots to any voter who requests it, but another poll worker in another polling place remembers that voters who are not on the roster are not entitled to provisional ballots, the disparate responses could be deemed non-compliant with federal election or equal protection laws. Inconsistent implementation of procedures may also

²⁰ According to interviews with staff and poll workers, an election procedural manual had been developed in previous years, but became outdated and unhelpful. For the 2004 elections, several PowerPoint presentations were developed and distributed to poll workers without detailed procedure manuals. Some of the PowerPoint hand-outs contained samples of the necessary forms (such as the Ballot Accountability Form) as well as some step-by-step procedures, such as closing the polls and AccuVote procedures.

²¹ During the 2004 election, the only procedural material at the polling place, aside from the flip guide which poll workers were advised was too outdated to be of use, was a one-page flyer printed on blue paper taped to the inside cover of the roster. There were too many words and too few graphic descriptions of how to process provisional voters in the flyer, and the placement of the flyer inside the roster was a burden to poll workers and voters trying to sign in the roster.

culminate in a flawed canvass, as demonstrated by the 2004 general election, or disenfranchised voters.

The majority of jurisdictions surveyed by the Election Center have developed and employed a user-friendly flow chart for poll workers to use in identifying and processing provisional voters. Written and updated poll worker procedure manuals are also standard in election offices.²² In a recent survey of seven counties, two said they update their manual for every election, and five said they update their manual at least once a year. User-friendly manuals also have tabs for easy reference.

**New Guidebook
Developed in August
2005 to Provide Better
Guidance to Poll
Workers**

Elections Section supervisors and staff recognize the need for effective training and for a current and user-friendly manual. Time constraints in the 2004 elections made it impossible for the Elections Section to update the previously used procedural manual. However, the Elections Section developed a comprehensive *Poll Worker Guidebook* in August 2005 that could provide better guidance and safeguards for poll workers. The guide is current, tabbed, and organized in a user-friendly format with explanatory graphics and flow charts. The section also developed more interactive training programs and materials for poll workers, including a train-the-trainers program, in preparation the 2005 elections.

²² Los Angeles County, Sacramento County, the Washington, D.C. Board of Elections and Ethics; Miami-Dade County, and Travis County, Texas have created model poll worker materials. Other poll worker resources are available from the U.S. Election Assistance Commission's Best Practices in Election Administration and Management "2.4 Training Methods" provides training manuals and checklists that are user-friendly and contain explanatory graphics.

RECOMMENDATION 14 The Elections Section should continue providing opportunities for poll workers to receive hands-on training, role-playing, and visualization of new procedures, and participate in questions and answer sessions in the future. In addition, the Elections Section should update and redistribute its detailed procedure manual to all poll workers annually.

FINDING 15**THE ELECTION SECTION HAS NOT YET ESTABLISHED POLICIES OR PROCEDURES TO TRACK POLL WORKER PERFORMANCE.**

The performance and accountability of poll workers is crucial to maintaining the integrity of elections, especially during elections with close races. The U.S. Election Assistance Commission's "Best Practices in Election Administration, Management, and Security" recommends that the evaluation of poll worker performance through analysis and tracking of errors to a specific precinct. The evaluation results can then be used to continuously improve training approaches and materials, and to help select the best poll worker teams. Many jurisdictions are now using "poll worker report cards" that have been effective in tracking poll worker performance.

Systematic Approach Needed to Track and Evaluate Poll Worker Performance

The Elections Section's overall process for recruiting poll workers seems to be working well, and its pool of emergency poll workers was helpful in addressing shortages. However, the section has not implemented a systematic approach to track and evaluate poll worker performance. Nor does the section consistently investigate poll workers who are responsible for serious errors, such as the provisional ballot and retrieval of ballot errors made during the 2004 general elections. (Similarly, no formal mechanism is in place to track and investigate voter complaints,

other poll worker complaints, or feedback from canvassing that suggests inadequate implementation of election procedures.)

The DIMS Net system's poll worker module includes a poll worker rating system and comments field that could facilitate tracking poll worker performance, particularly poll worker adherence to proper election procedures. The Elections Section could use performance information entered into the DIMS Net to effectively coach, counsel, and train poll workers. If poll workers are not evaluated and performance issues are not properly addressed, serious errors that compromised the 2004 election results may be repeated.

RECOMMENDATION 15

The Elections Section should establish a poll worker performance tracking and evaluation program that can be used to improve poll worker performance through effective coaching, counseling and training. The DIMS poll worker module should be used to facilitate tracking of poll workers and issues so that follow-up actions are appropriately focused.

FINDING 16**THE ELECTION SECTION NEEDS TO CONTINUE ITS RIGOROUS APPROACH TO RECRUITING BILINGUAL POLL WORKERS AND INCREASE PLACEMENT AT TARGETED POLLING SITES.**

Recruitment of bilingual poll workers is a significant challenge for those jurisdictions covered by Section 203 of the Voting Rights Act.²³ Section 203 requires counties to recruit at least one bilingual poll worker at each polling site that serves target populations. The U.S. Department of Justice is aggressively enforcing Section 203, and taking legal action for non-compliance.

²³ Title 42 USC; Chapter 20 Elective Franchise; Subchapter I-B, Supplemental Provisions.

In King County, the Elections Section staff and community advocates have made significant efforts to comply with Section 203. Accomplishments include the development of education and awareness partnerships with local community organizations, extensive translations of election materials, and extensive voter outreach along with active recruitment of bilingual workers.

However, the Elections Section does not yet have a sufficient pool of bilingual poll workers to comply with Section 203. Historically, the Department of Justice has focused its reviews on the presence or non-presence of bilingual poll worker at each targeted polling place, and pursued litigation of 14 counties for violations of the Section 203 minority language provisions. To date, the Department of Justice reviews of King County's Section 203 program have not resulted in any formal action. However, the Department of Justice has compelled other counties to immediately deploy bilingual poll workers following Section 203 compliance reviews.

King County is at risk of non-compliance with the Section 203 minority language provisions. The following table shows the actual and estimated number of bilingual poll workers deployed at targeted polling locations:

Distribution of Requests for Minority Language Assistance and Bilingual Poll Worker Placements					
ELECTION	CHINESE MATERIAL REQUESTS	TARGETED SITES*	TOTAL POLL WORKERS	TOTAL PLACED AT TARGETED SITES	PERCENT PLACEMENT
2003 PRIMARY	278	21	11	11	NOT AVAILABLE
2003 GENERAL	408	20	12	12	NOT AVAILABLE
2004 PRIMARY	1006	57	57	29	51%
2004 GENERAL	1106	66	60	29	44%
2005 PRIMARY	1415	103	103 (GOAL)	103 (GOAL)	100% (GOAL)
2005 GENERAL	TBD	TBD	TBD	TBD	100% (GOAL)

* Note: Prior to 2004, the polling places selected for bilingual poll worker placement was determined by the Section 203 Coalition.

**Elections Section
Launched Expansive
Campaign to Recruit
Bilingual Poll Workers
for 2005**

As shown in the table above, the Elections Section placed bilingual poll workers in 51 percent and 44 percent of targeted polling locations during the 2004 primary and general elections. To attain the 100 percent placement goal for the fall 2005 elections, the Elections Section launched an expansive ad campaign and outreach efforts to recruit bilingual poll workers, such as:

1. Advertising for bilingual poll workers a Chinese community newspaper for eight consecutive weeks preceding the primary elections.
2. Distributing recruitment notices to Chinese community businesses for posting in storefronts.
3. Sending emails to Chinese and International Studies Programs at local community colleges and universities to recruit bilingual poll workers.

4. Increasing outreach to the Chinese community (e.g., distributing information and educating voters) to emphasize the need for bilingual poll workers.
5. Conducting extensive mailings to over 50 Chinese community non-profit and social agencies to emphasize the need for bilingual poll workers, and requesting assistance to help with bilingual poll workers recruitment efforts.

Further opportunities exist for the Elections Section to expand its efforts to recruit a sufficient pool of bilingual poll workers for the future elections by:

1. Exploring temporary employment options to recruit bilingual temporary election workers as minority language assistants in the event of extreme shortage.
2. Drafting bilingual King County employees to work as poll workers on Election Day.
3. Hiring an additional temporary staff person or consultant to recruit Mandarin and Cantonese dialect speakers as appropriate for the targeted polling place.

RECOMMENDATION 16 The Elections Section should continue to expand its efforts to recruit sufficient bilingual poll workers in compliance with Section 203 of the Voting Rights Act.

FINDING 17**KING COUNTY IS NOT IN COMPLIANCE WITH FEDERAL LAWS FOR POLLING SITE ACCESSIBILITY.**

The Voting Accessibility for the Elderly and Handicapped Act of 1984 requires that polling places be accessible for voters with disabilities, including non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation as for other voters. The 1984 act

also includes provisions encompassing voting equipment that allows privacy and independence to voters with these disabilities.

**Only 25 Percent of
County Polling Sites
Meet Federal
Accessibility Standards**

The Elections Section is currently utilizing a new polling place accessibility survey form issued by the Department of Justice to review and evaluate the accessibility of all its polling places based on the 1984 standards. The results to date indicate that 419 (75 percent) of 561 polling sites surveyed do not meet the new federal accessibility requirements. Of these poll sites, 128 required minor improvements to become accessible, and 291 required major modifications to comply with federal standards. Of the county's 527 current polling sites, 429 were surveyed (81 percent), but only 32 (6 percent) of polling sites surveyed were accessible without modifications. Typical modifications would include adjusting door sizes, installing ramps, alleviating slopes, paving and/or painting parking lots and walkways, and establishing safe, accessible routes.

King County's topography is noted for steep slopes and inclines, which also contributed to the high number of inaccessible polling sites. However, the 1984 act requires accessible polling places and a 25 percent compliance rate is unacceptable given the time that has lapsed without improving existing polling sites or moving to accessible alternate sites.

**State Funding Available
to Aid County in
Improving Accessibility**

The Elections Section can secure funding available from the Office of the Secretary of State to hire a facilities planner to analyze the available polling site survey data and develop a written report for the Elections Section. The report could document the extent of the accessibility problem, and provide recommendations to improve poll site accessibility or relocate polls to alternate sites to achieve compliance with federal mandates.

In addition, the planner could develop an effective voter notification process and materials to ensure that they know what accessibility improvements have been made, or the location of alternate accessible polling sites well in advance of the 2006 elections.

The audit team evaluated the Elections Section's criteria and tools for assessing the accessibility of polling places, including suitability for accommodating accessible voting machines as required. The criteria and tools were found to be well grounded and in compliance with federal and state laws and reporting requirements. The Elections Section also notifies affected voters regarding the accessibility status of their polling place when they receive their voter notification card. Inaccessible voting locations are also noted on published voting lists prior to the election.

RECOMMENDATION 17

The Elections Section should secure available funding from the Secretary of State's Office to retain a planner to complete a report documenting the accessibility status of its polling sites and to develop recommendations for improvement. Priority should be given to improving or relocating poll sites, based on the report recommendations immediately after the 2005 general election to comply with federal accessibility mandates by 2006. The planner should develop an effective notification process and materials for voters to ensure that they know what accessibility improvements to expect or where the alternate accessible poll sites are located well in advance of the spring 2006 elections.

5 POST ELECTION PROCESSES

SUMMARY OF REVIEW

The Election Center team reviewed key post-election processes such as canvassing and tabulation, as well as observation of the processes by official observers and the public. We found that:

- Washington State laws contribute to delays in counting absentee ballots on Election Day. Amending state law to allow earlier counting of verified absentee ballots could expedite the tabulating processes.
- Written procedures for the canvass process were updated following the 2004 general election, but are still not sufficient to guide election workers and reduce processing breakdowns.
- Orientation materials for official observers need to be strengthened to cover more of the technical aspects of elections, such as handling provisional ballots. Procedures were also needed to improve unofficial observers' understanding of election processes.

FINDINGS AND RECOMMENDATIONS

FINDING 18

WASHINGTON STATE LAW HINDERS EFFICIENT PROCESSING OF BALLOTS IN HIGH TURNOUT ELECTIONS.

State law prohibits the final tabulating of mail ballots until Election Day, making it difficult to obtain timely and accurate election results. RCW 29A.40.110 provides that ballots cannot be tabulated until after 8:00 p.m. on the day of the primary or

general election. Washington Administrative Code (WAC) 434.250.110(3) provides that final processing of absentee ballots cannot be performed until 7:00 a.m. on the day of the primary or general election even though tens of thousands of absentee ballots are typically in the custody of the Elections Section by that time.

County Process for Counting Mail-In Ballots Could Be Improved

Election results would be further delayed if the County Council adopts an all-mail election policy. Less than one-third of the mail-in ballots would be counted at 8:00 p.m. for a large turnout election with a long ballot.²⁴ This would leave many races in doubt at the end of the day, which could contribute to public frustration or mistrust.

County decision makers may be interested in exploring other options to accelerate its mail-in ballot counting processes. Two options worth exploring are acquiring new tabulators reported to be four times faster than existing tabulators, and/or seeking legislative changes to permit early tabulation of absentee ballots.

Many states, including California, Arizona, Nevada, and Texas have amended statutes to permit absentee or mail-in ballot processing (i.e., opening envelopes, verifying signatures, assembling and feeding ballots through tabulators) up to one week prior to Election Day.²⁵ Early processing significantly accelerates the time-consuming, laborious process of counting large numbers of mail-in ballots, but requires strict control of testing and security systems to prevent the release of election results until polls close. It is also a relatively inexpensive approach to timely counting of mail-in ballots.

²⁴ This estimate is based on the speed of the county's current tabulators and the long length of the 2004 general election ballot. Nine hours were required to tabulate approximately 233,000 ballots during that general election.

²⁵ Washington State and King County practices allow for opening the absentee envelopes, verifying signatures, and assembling ballots for tabulation before Election Day. Ballots cannot be tabulated, however, until Election Day.

RECOMMENDATION 18 The County Council should consider proposing amendments to state statutes to allow final tabulating of absentee ballots one week prior to an election, but not releasing the official results until the poll ballots are counted on election night. Alternatively, the Elections Section should explore the cost and benefits of purchasing new tabulators to expedite the ballot count process.

FINDING 19**COUNTY CANVASSING PROCEDURES ARE INCOMPLETE AND DOCUMENTATION OF THOSE PROCEDURES IS INADEQUATE TO PROMOTE CONSISTENCY AND ACCOUNTABILITY.**

The canvass is comprised of reviewing numerous elections processes to ensure that they were performed correctly. They include:

- Examining supplies retrieved from the polls prior to returning them to storage;
- Reconciling poll worker records with computer counts;
- Processing absentee ballots and provisional ballots;
- Duplicating ballots that have been damaged or otherwise rendered unusable;
- Counting write-in votes and add-on ballots;
- Conducting party requested manual recounts of three precincts; and
- Hand-wandering poll books to give voters credit.

The canvass in King County is generally conducted in multiple sites and involves extensive movement of materials. However, the complexity of the canvass process increased during the 2004 elections due to a variety of factors including the installation of a new voter registration system 12 weeks before the statewide

primary, and the implementation of a new primary system. Management and staff did not have sufficient time to update procedures, develop new procedures, or complete training on the procedures before the September and November 2004 elections.

**Substantial Progress
Made in Developing
Procedures for
Canvassing Process**

Substantial progress was made in developing new procedures for the September 2005 election that should facilitate the canvassing process, but some of the revised procedures were not sufficiently detailed to ensure that temporary workers uniformly perform required duties. These included procedures for handling poll ballots, poll books, duplicate ballots, write-in votes, and related quality control check-off points.

It should also be noted that Washington State not only has a process for establishing a canvassing board in each county, but has also developed good canvassing guidelines. In turn, the King County Canvassing Board recently developed administrative rules that were updated to guide canvassing during the September 2005 election. This was important because canvassing board members rely on the Elections Section to implement rules and procedures that produce accurate and thorough results.

RECOMMENDATION 19

The Elections Section should ensure newly developed canvassing rules and procedures are effective through their practical application during the 2005 election.

FINDING 20

OBSERVER TRAINING WAS NOT SUFFICIENT AND PROCEDURES WERE INADEQUATE FOR A COMPLEX AND CONTESTED ELECTION.

Washington State law ensures that elections are open to the public. RCW 29A.40.100 requires county auditors to invite the major political parties to appoint observers to be present during

the processing of absentee ballots. WAC 434.261.020 requires observers who have been trained on ballot processing procedures and the vote tabulating system to be present for all counting operations.

Pursuant to state law, the Elections Section invites the King County Democratic and Republican parties to appoint official observers to view election processes, and provides a schedule of what to observe and when. The section also offers general procedural training to the observers appointed by the parties, which is supplemented by more specific training on the particular processes to be observed.

**Observers Needed
Additional Information
and Instruction on
Some 2004 General
Elections Procedures**

However, some election functions were not adequately explained to observers who participated in the 2004 general election. For example, the provisional ballot procedure became an important issue for observers during the 2004 general election recount. Supervisors attempted to explain this procedure to both official and unofficial observers, but were unable to provide written documentation other than a brief, non-detailed procedure. Opportunities exist to improve communications with elections observers and ensure that they understand the proper protocols prior to observing canvass functions. This includes meeting with observers in advance of the election to discuss the upcoming observation process and providing current procedures. In addition, assigning experienced elections staff to serve as coordinators could facilitate timely responses to questions and resolution of issues that arise during election night and reduce interruptions of other staff.

Official observers, unlike unofficial (public) observers, are free to roam in the work area. Unofficial observers are allowed in the general work area but usually in a roped-off section. Unofficial observers raised concerns about restricted movement and viewing of data entry screens. However, Elections Section personnel indicated that they adhered to all election observation laws, including maintenance of voter confidentiality, while accommodating as many observers as possible without compromising the integrity and accuracy of the 2004 elections.

Elections Section management recently updated its procedures for observing and canvassing elections to better explain roles and responsibilities. Observer opportunities were also identified, and meetings were held with major political parties to discuss assignments prior to the 2005 primary election.

RECOMMENDATION 20

Elections Section management and the major King County political parties should continue to meet before future elections to discuss the specific election activities to be observed. The parties should be provided complete information on new developments and any procedural changes for public observers immediately prior to all future elections.

6 FACILITIES

SUMMARY OF REVIEW

The condition and location of King County election facilities may have contributed to ballots being misplaced or counted without verification of eligibility, and to other ballot processing errors. Lack of adequate security at the mail ballot operation satellite and the election distribution center also fosters a perception that the integrity of elections could be compromised. This report recommends that the county consolidate elections operations and strengthen security measures and procedures as soon as possible.

FINDINGS AND RECOMMENDATIONS

FINDING 21

EXISTING ELECTION FACILITIES ARE INADEQUATE, LACK OPTIMUM SECURITY FEATURES, AND HAMPER EFFICIENT OPERATIONS.

**Elections Operations
Housed at Four
Locations in Three
County Buildings**

Election functions currently occupy approximately 49,840 square feet of office and warehouse space in a combination of leased and county-owned facilities:

- REALS Administration, Voter Services, Election Operations, Information Technology Support and the Geographic Information Systems Unit are located on the fifth floor of the King County Administration Building and occupy approximately 13,640 square feet of office space. An additional 1,800 square feet of office space is used on the second floor of the administration building. Approximately twenty-five Elections Section employees work out of this county-owned building.

- Ballot Processing and Delivery is located in the mail ballot operation satellite facility located at 3901 First Avenue South. The county leases approximately 12,000 square feet in this facility.²⁶ Up to 150 part-time and permanent employees currently work at this facility, and the number would increase to approximately 250 employees for an all-mail ballot election.
- The election distribution center is located at 1201 East Fir Street. This county-owned facility is approximately 22,400 square feet. Five permanent employees and up to 25 temporary employees are assigned to this facility.

Two Contract Elections Functions Also Performed in Non-County Facilities

In addition, King County elections functions are contracted out and performed in two non-county facilities. These are:

- A printing facility owned and operated by Diebold, Inc. in Everett is the location for printing ballots and inserting outgoing absentee ballots into envelopes.
- A mail processing facility owned and operated by PSI Group, Inc. in Kent is the location for sorting, staging, and shipping outgoing absentee ballots to the post office. The PSI Group also initially sorts incoming absentee ballots before sending them to the mail ballot operation satellite for further processing and tabulation.

ELECTION FACILITIES ISSUES

The current facilities and related spatial issues hinder election operations and workflow processing. Examples of the facilities impacts are categorized below:

Team Functionality – Performing significant election activities at four locations in three buildings makes it difficult for the elections staff to function as a team, particularly during peak workload periods when the volume of temporary workers increases.

Workload peaks four times during the 30-day period preceding an

²⁶ The lease expires on May 31, 2006.

election due to increased voter registration requests, absentee ballot application activities, phone bank inquiries, and initial absentee ballot processing and signature verification activities. Conducting these activities at three different locations adds complexity in coordinating the workload and communicating with elections staff.

**Election Facilities
Undersized Given
Number of Assigned
Personnel**

Insufficient Work Space for Personnel – The current elections facilities are undersized given the number of assigned personnel. Phone bank personnel, for example, are located on two floors of the King County Administration Building during peak periods. Personnel assigned to the second floor phone bank location are seated at long tables without any partitions to buffer noise, and with insufficient room to place important reference materials. Staff describes these accommodations as “chaotic” when the phone bank is in operation. The phone bank facility located on the fifth floor is already operating at maximum capacity, and may become even more crowded when the fifth floor space is reconfigured to accommodate fourteen additional permanent employees.

Inadequate Space Improvements – The Elections Section is unable to leverage common space such as meeting rooms, break rooms, restrooms, and training facilities because election operations are located in multiple separate facilities. For example, up to 150 people share two restrooms and one break area during and immediately after elections at the mail ballot operation satellite. The mail ballot operation satellite also lacks adequate air conditioning, heating, and parking. It is particularly inadequate for the amount of equipment, staff, and observers assigned to the facility. Election facility deficiencies may cause poor employee morale and staff turnover in addition to inefficient elections operations.

Excessive Movement of

Processing Inefficiencies – The use of multiple facilities results in

**Election Material
Creates Opportunities
for Ballots to Be
Mishandled**

excessive movement of election material. Each movement requires additional staff time, equipment usage, results in lost productivity, and creates opportunities for critical materials such as voted ballots to be lost, mishandled, or stolen. Examples of operations that require movements of materials between multiple facilities include:

- Write-in votes on poll ballots are counted at the fifth floor headquarters, and write-in votes on mail ballots are counted at mail ballot operation satellite. When finished, all ballots are transported to elections distribution center for storage.
- Reconciliation of poll book counts takes place at the fifth floor headquarters. If research is required, such as hand counting the ballots in the sealed ballot boxes, the ballots must be transferred back to headquarters from the distribution center.
- Provisional ballots are researched on the fifth floor of the King County Administration Building. However, additional staff and terminals needed for the research are located on the second floor due to space restrictions on the fifth floor. Once provisional ballots are deemed valid based on the research, the ballots are then transferred back from the county administration building to the mail ballot operation satellite for counting purposes. This situation may significantly worsen in upcoming elections as the number of provisional ballots increases. Voters without identification will be obliged to sign for provisional ballots to cast a vote, due to new legislation requiring poll voters to show identification prior to obtaining poll ballots.
- The contents of bags (referred to as red bags) returned from the polls containing absentee and provisional ballots and poll books are sorted at the fifth floor headquarters. Only a portion of the poll materials can be processed at one time, however, due to space limitations. Excess bags from other poll sites are stored at the distribution center until space

becomes available at headquarters to process more red bags.

Multiple Inventories of Ballot Stock and Equipment Required Due to Fragmented Facilities

As mentioned in an earlier chapter, the fragmented election facilities made it difficult to maintain a single, central inventory of spare ballot stock for fulfilling supplemental ballot requests. As a result, an extensive system of computers and printers were set up at various locations to print ballots on demand. Printing ballots at multiple locations increased the security risks and fragmented systems to control those risks.

Hand-wanding poll books takes place in the fifth floor headquarters, but personnel are positioned too closely due to insufficient space. As a result, poll workers cannot determine whether their own hand-wanding device or a neighbor's device has been properly activated, confirmed by a beep, to credit individuals for voting at the polls. This problem will be exacerbated when the number of hand-wanding devices increases from 15 during the 2004 general election to 45 for the 2005 elections.²⁷

Insufficient Space for Observers – According to Elections Section staff, observers complain that they cannot see all of the ballot-counting procedures at the mail ballot operation satellite. Comments from staff as well as findings from the county's Space Planning Options report indicated that it is difficult to provide for adequate observation while also appropriately segregating observers from the processing functions. Space limitations that

²⁷ A related matter has been the accuracy of hand-wanding and expectation that counts from hand-wanding poll book signatures will balance with the number of votes counted. Historically, that has not been the primary function of the hand-wanding process. In many states, hand-wanding is used to give voter credit and to provide political parties historical data for future campaigns. It is not performed until the election results are certified. In Washington, hand-wanding is performed at the same time as other critical functions of the canvass and impacts the ability of the mail ballot operation satellite to view the poll books when trying to determine if an absentee ballot should be counted or not (vote will not be counted if the voter also voted at the polls). While the Elections Section strives for accuracy in hand-wanding, they have not historically taken extraordinary steps to resolve minor differences that result from human error.

**Fifth Floor
Headquarters Public
Space Especially
Crowded During Peak
Election Processes**

hamper observation and result in observer complaints could also lead to questions about the ballot count's integrity.

Facility Is Not Conducive to Good Customer Service – The public area of the fifth floor headquarters is especially crowded during candidate filing, the close of registration, and during the absentee voting period. For example, there were over 8,000 walk-in transactions (e.g., applications for registration or mail ballots) in the period from 30 days to 15 days before the 2004 general election. The long lines of voters extended into the hallway on the fifth floor, and some potential voters left without obtaining a ballot. Little or no seating is available for those who have to wait for long periods to be served due to space limitations.

SECURITY CONCERNS

Although no specific instances of security breaches have been



This photograph shows an example of the locks and tamper-proof seals to secure caged areas at two election facilities.

confirmed, the audit team identified major risk areas that could compromise the integrity of the elections process. The Elections Section has not arranged security assessments by certified professionals for any of the buildings used for election activities. Nor has the section assessed the mail ballot operation satellite

for compliance with health and safety standards, although a facility fire inspection was performed.

In addition, the security surveillance technology is either absent or inadequate at both the election distribution center and the mail ballot operation satellite buildings. The buildings have manual exterior locks and burglar alarms with motion detectors, but only in a few locations. During the day, however, the entrances to the buildings or work areas are not controlled, except for the caged areas.

Current Physical Facilities Present Security Risks

During the fieldwork and site visits conducted for this audit, we observed that interior physical security systems were also inadequate. Video monitoring systems had not been installed in



This photograph shows a gap at the top of a secure cage containing voted ballots.

either building. A locked cage is installed at the election distribution center for the storage of ballots and sensitive election documentation, and at the mail ballot operation satellite for storage of both voted and un-voted ballots and sensitive election documentation.

However, we found that the cage could be breached easily at the mail ballot operation satellite because no barbed wire had been installed at the top of the gate to the cage. This gap could have allowed undetected access. The ceiling at the mail ballot operation satellite also presented a security risk, since it was possible to enter the facility through the roof without detection.

Although staff at the election distribution center and the mail ballot operation satellite use tamper proof, numbered seals and security logs when entering the cages, a non-authorized individual could still enter secure areas without being detected due to the security weaknesses described above. A security

breach involving the removal of ballots, or tampering with ballots or sensitive materials, could have serious consequences that compromise the entire election.²⁸

The integrity of elections could also be compromised by the absence of security in the administrative offices. Gated entrances to the administrative office space and visitor badges and escorts would enhance the security of elections operations.

Since the audit site visits, the Elections Section has made improvements to the cages and installed some video surveillance equipment to enhance security.

FUTURE FACILITIES NEEDS

In addition to security gaps and current processing inefficiencies, two potential developments may render the existing facilities wholly inadequate:

All-Mail Voting and New Federal Requirements Create Additional Facility Challenges

All-Mail Voting – If King County begins conducting all-mail elections (or nearly all-mail elections), the combination of all-mail balloting and steady growth in the voter roll could double the number of ballots processed in the mail ballot operation satellite. The amount of space needed for permanent and temporary personnel, as well as for storing mail-in ballots, verifying signatures, opening envelopes, tabulating ballots, and duplicating spoiled ballots, would double accordingly. Staffing alone would require up to 19,000 square feet.²⁹ However, space would no longer be needed for storing such vast quantities of polling place voting equipment and supplies in an all-mail system.

²⁸ Such a breach would be detected based on the breaking of the ballot seals and documentation of the inventory of sealed ballot containers.

²⁹ This estimate takes into account the paid observers present on election night, but does not include other observers and media that could further increase the number of individuals in the facility.

Other technological advances may also mitigate the need for more space. If electronic signature verification is implemented, a computer rather than an employee could verify voter signatures for a large percentage of returned mail-in ballots. This would reduce the need for signature verification stations.

New Federal Elections Requirements – In January 2006, the Help America Vote Act will require voting equipment that allows blind or visually impaired voters and voters with other disabilities to cast ballots without assistance at all polling locations. This will require the acquisition, distribution and storage of specialized voting equipment specifically designed for this purpose.

Space Standards Not Yet Developed by Elections Industry

ELECTION-SPECIFIC SPACE STANDARDS

Space standards have not been developed within the elections industry. Thus, no objective measures were available to evaluate the adequacy of King County's current elections-specific space, or to estimate the space needed to accommodate future changes in elections workload and operations.³⁰ Given the absence of standards, the audit team surveyed other jurisdictions to obtain information about elections facilities and space that could help inform county decision makers. The survey results indicated the amount or use of space varied widely by jurisdiction. Other jurisdictions were also generally dissatisfied with the adequacy of their space, and a clear trend was the desire or plan to consolidate election facilities.

³⁰ Although there are no space standards specific to elections, the Elections Section in conjunction with the county's Facilities Management Division are estimating space requirements for generic elections functions (e.g., managers' offices, restrooms, meeting rooms) based on the same standards as for other county agencies. Space requirements are being developed for elections-specific functions (e.g., ballot opening and tabulation) based on the operations floor area and the number of staff performing each function. The audit team concurs with the current planning approach.

**Improved Space
Needed to Enhance
County Elections
Performance**

Several reviews since 2003 have recommended additional space and facility improvements for King County's election function.³¹ Consistent with the audit facilities survey, most of the reports also recommended the consolidation of election activities. Appendix 4 contains a list of facility features and activities that the county requires to conduct elections efficiently. The list is intended to serve as a guide with suggested criteria for evaluating future facility decisions.

**RECOMMENDATION
21-1**

King County should acquire or lease a consolidated elections facility. The facilities should preferably accommodate a warehouse, the mail processing functions, and elections administration. The county should discontinue its use of the current mail ballot operation satellite facility as soon as practical, and relocate the existing operations to a consolidated facility. If a consolidated facility is not available, a new facility should be leased to accommodate the space and security needs of the current functions conducted at the mail ballot operation satellite.

**RECOMMENDATION
21-2**

The Elections Section should implement the following security upgrades, and develop appropriate procedures as soon as possible:³²

- Uniformed security personnel should be present 24-hours per day, seven-days per week from the time un-voted ballots are delivered to elections facilities until completion of the canvass and certification of the election or until security is improved.

³¹ King County facilities issues are addressed in the following studies and reviews: *Election Procedures Review of King County*, Secretary of State Election Certification and Training Program, February, 2003; *Final Report to King County Council on the Current Status of the Election Process*, Ellen Hansen, October 31, 2003; *Report on King County Elections*, The King County Citizen's Election Oversight Committee, 2004; *King County Space Planning Options, Analysis of 2005, King County Facilities Management High Priority Space Requirements*, 2004.

³² As indicated in this chapter, the Elections Section notified the audit team that some security upgrades were made since the time we made our site visits; but we were unable to repeat those visits to review the upgrades. Our recommendation, however, refers to any facilities that the Elections Section might occupy.

- Elections facilities should be locked at all times when either voted or un-voted ballots are stored on site. The security company should be contacted if the alarm is triggered.
- Entry to elections facilities should be limited to those holding electronic keys. Identification, such as a card key, should be required for entry.
- The caged areas and information technology areas should be electronically secured. Cages should extend all the way from the floor to the ceiling. The ceiling should be wired, and motion detectors installed to monitor the perimeter of caged areas. Unauthorized access to the cage should trigger an alarm. Electronic and video records should be maintained to document who has entered the caged area.
- Video cameras should also be placed in such a way that all elections activity is video taped. No ballots or sensitive materials should be processed or taken beyond the view of a video camera, unless they are otherwise secured.
- Security should be assessed at all existing facilities and for any newly acquired facilities. These assessments should be conducted by a certified professional specializing in facility security.³³

³³ An assessment should be completed by a Certified Information Security Manager (CISM), a Certified Information Security Professional (CISSP), or otherwise qualified individual. A security audit should be conducted by a Certified Information System Auditor (CISA), GIAC Security Audit Essentials Certified Professional (GSAE) or a BS7799/ISO17799 Professional or Lead Auditor (IRCA).

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7 ELECTIONS TECHNOLOGY

SUMMARY OF REVIEW

This chapter reviews the organization and use of the Elections Section's information systems. Key systems include: the Data Information Management System (DIMS Net) voter management system; the Global Election Management System (GEMS) that produces the ballot templates; the county's elections Web site; and the Elections Section's Geographic Information System (GIS).

Elections Section Retired Several Obsolete Systems After Purchasing DIMS Net

We found that the DIMS Net, a major elections data management system purchased in 2004, was a good investment for the county. DIMS Net has a proven track record in the elections industry and is used by a number of jurisdictions in Washington State. The Elections Section retired several obsolete and inefficient systems after purchasing DIMS Net.

One issue related to DIMS Net has been the county's deployment of software version upgrades without receiving a detailed software change log from the vendor. Diebold, Inc., has developed specialized data exchange software that county DIMS Net customers can use to connect to the Washington State centralized software in January 2006. This connection must be addressed in future modifications to avoid a situation in which the DIMS Net cannot be supported or upgraded without an expensive re-modification.

Policies and procedures are also needed to assure that the modifications to each version of software are analyzed and tested, allowing for possible changes in procedures and training prior to deployment to the county's live voter registration system.

To fully leverage the DIMS Net investment, the Elections Section must also develop a strategic plan to establish the direction for maintaining current system investments and identifying future investments.

FINDINGS AND RECOMMENDATIONS

FINDING 22

THE ELECTIONS SECTION DID NOT DEVELOP CONTROL PROCEDURES TO GUIDE AND DOCUMENT DIMS NET MODIFICATIONS DURING 2004 ELECTIONS. ADEQUATE DOCUMENTATION IS NEEDED TO ENSURE THAT UNIQUE MODIFICATIONS ARE COMPATIBLE WITH THE DATA EXCHANGE SOFTWARE FOR THE STATEWIDE VOTER REGISTRATION SYSTEM.

King County migrated to the DIMS Net voter registration and election management software in mid-2004. Since its inception, Elections Section personnel requested numerous modifications to the “off-the-shelf” software. These modifications required new version releases that often resulted in problems occurring elsewhere within the software. For example, after the DIMS Net vendor recently released version 7.2, the county subsequently installed three additional versions to resolve various application problems caused by the extensive modifications to the vendor software.

The county did not require the vendor to provide detailed software change logs for each new release. The change logs would document how the software was modified and enable staff to determine whether testing, procedures, or training must be updated prior to the deployment of the new software version.

**Compatibility of DIMS
Net Software Data
With Exchange
Software Is Crucial**

Another result of the DIMS Net modifications is that King County's unique version of the software **may** not **be** compatible with the DIMS Net software used to connect to the state system, effective January 1, 2006. This could require Diebold, Inc., to develop another version of the data exchange software. One important criterion in purchasing the software was its compatibility, because a statewide voter registration system will be implemented in January 2006. The Elections Section, in collaboration with Washington State and other counties, must continue to ensure that its unique DIMS Net applications are compatible with the data exchange software for the federally-mandated statewide voter registration system.

RECOMMENDATION 22

The Elections Section should develop DIMS Net system control procedures to ensure that requests for new software applications and modifications are compatible with the DIMS Net data exchange software. The Elections Section should also develop policies and procedures to assure that software modifications incorporated within each version upgrade are analyzed and tested, allowing for possible changes in procedures or training prior to deployment to the county's live voter registration systems.

FINDING 23

ACQUISITION OF THE ROBUST DIMS NET ESTABLISHED A GOOD FOUNDATION AS THE COUNTY CONTINUES TO PLAN FUTURE EXPANSION OF ELECTIONS TECHNOLOGY. AN INFORMATION TECHNOLOGY STRATEGIC PLAN IS NEEDED TO GUIDE FUTURE INVESTMENTS.

Robust DIMS Net System Allows Efficient Processing of Large Volumes of Elections Transactions

Elections Section management implemented the robust DIMS Net system as a voter registration and election management tool in response to a 2002 election procedure review of King County conducted by the Office of the Secretary of State. The study indicated that King County needed a voter registration system designed for a large jurisdiction. The county's large volume of registrations and absentee ballots required a system with greater capacity to efficiently capture and store voter signature images.

The Elections Section's decision to acquire the DIMS Net was also commendable because King County and other counties in Washington State can now use the same software to communicate with the state and one another using common data exchange software. Improved capacity is also important because King County is largely prepared to comply with federal mandates that become effective January 1, 2006. Pursuant to the Help America Vote Act of 2002, Washington State must implement a single, uniform, official, centralized, interactive computerized statewide voter registration list that will be administered at the state level. The uniform Washington State voter registration system will assist county election officials in minimizing the number of duplicate registrations.

DIMS Net and Other Technologies Needed to Support Future Election Initiatives

DIMS Net is likely to be enhanced and in full production mode during the next few months, and should be able to support the county's election needs for several years. The next progressive step for the Elections Section is to develop a strategic information technology plan that considers the role of technology

in supporting future elections. Potential DIMS Net uses for future elections include:

- King County and other counties can partner to maximize the benefits of the DIMS Net software to improve services to candidates and committees, and to provide connectivity to Web-based services.
- An electronic poll book application can be implemented that allows poll workers to access a complete list of registered voters. Using DIMS Net in conjunction with the new electronic poll book has the advantage of reducing time to search for voter registrations on Election Day and eliminating hand-wand procedures by seamlessly importing voter history data.
- Electronic poll books also allow election officials to fully use technology to open up the election process to new and possibly more user-friendly means of voting, including vote centers that voters consider more convenient and compatible with vote-by-mail initiatives.

RECOMMENDATION 23 The Elections Section should develop a strategic information technology plan to leverage its DIMS Net and other new technologies to support future election initiatives such as vote-by-mail and regional voting centers.

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FUTURE CONSIDERATIONS

SUMMARY OF REVIEW

Conducting an election with a large volume of mail-in ballots while staffing, supplying and operating 527 polling places results in an inefficient and expensive voting system. This report recommends that the County Council pursue a study to explore the programmatic and financial advantages and disadvantages of three election alternatives: voting exclusively by mail; a combination of voting by mail and at regional voting centers; and maintaining the status quo.

FINDINGS AND RECOMMENDATIONS

FINDING 24

THE CURRENT, DUAL VOTING SYSTEM IN KING COUNTY IS INEFFICIENT AND EXPENSIVE.

**All-Mail Elections
Conducted in 29 of 39
Washington Counties**

In contrast to other regions of the country, voting by mail, or absentee voting, is the dominant voting method in the Pacific Northwest. States that have developed criteria for voting by mail also are experiencing increased volumes of mail ballots.

In recognition of the increased popularity of voting by mail, state legislatures in Washington and Oregon adopted legislation permitting counties to conduct elections exclusively with mail ballots. In Washington, 29 of 39 counties will conduct all-mail elections in the future. Most of the larger counties are also considering a vote-by-mail policy, but have not yet made a decision or taken action to implement one.

In King County, 60 to 70 percent of voters are currently choosing to vote by mail. The high percentage of mail ballots requires the Elections Section to conduct two concurrent elections: one by mail and one at the polls. The dual elections processes are inefficient and expensive.

An All-Mail Voting System Could Substantially Reduce Elections Cost

In addition, poll voting becomes even less cost-effective as the number of poll voters decrease. Expenses and issues related to polling place voting include:

- Staffing 527 polling places within 2,573 voting precincts during elections requires recruiting, training and compensating as many as 4,000 poll workers and a number of bilingual poll workers. Accessible polling locations must also be identified and arrangements made to rent or borrow facilities during elections. The estimated cost for poll worker compensation is \$436,100, and polling place rental fees are \$73,800 for a countywide election.
- Supplying 527 polling locations requires a substantial logistical capability including warehouse space, staging areas, assembly lines, trucks, drivers, and intermediate supply depots.
- Identifying polling locations will become significantly more difficult and expensive as King County continues to implement the Elderly and Handicapped Act of 1984, which require accessible voting facilities at polling sites.
- The Elections Section now maintains and stores voting equipment for 527 polling locations. Unless an all-mail voting system is adopted, the county will be required to acquire approximately 500 (at least one per polling place) special voting units that allow blind, visually impaired and voters with disabilities to vote without assistance effective January 1, 2006. An all-mail voting system, with regional

voting centers, would substantially reduce the need for special units that cost approximately \$5,000 each. (Some state or federal financial assistance may be available for acquisition of this equipment.)

- The need for warehousing space for existing voting equipment and the new special units will be substantially reduced with an all-mail voting system. (Immediate facilities savings cannot be realized in this area until other uses can be found for existing warehouse space which the county owns.)

Some personnel and operating costs will increase with all-mail voting:

- More temporary workers and space will be required for processing, verifying eligibility, and counting mail-in ballots.
- Additional postage, envelopes and printing cost will be incurred for mail-in ballots.
- More space would be needed to process a higher volume of mail ballot returns.

**Regional Voting
Centers Provide Cost
Effective Alternative to
Supplement All-Mail
Voting**

A common objection to vote-by-mail elections is the loss of the civic ritual of voting at a neighborhood polling location. To alleviate this concern, voting by mail can be supplemented with large-scale, regional voting centers located strategically within the county. Voters could cast ballots at the most convenient regional voting center if poll voting is preferred to voting by mail.

The county would still incur expenses to stage voting equipment that allows blind voters and those with disabilities to vote unassisted and to provide poll personnel at the regional voting centers. However, the equipment and personnel expenses for the regional voting centers would be substantially reduced compared with the current system. An added bonus of the regional voting centers is the opportunity to selectively recruit

and train the most qualified poll workers, and potentially create a permanent class of professional temporary poll specialists and managers that can be compensated according to performance (see discussion in Chapter 4).

Combating fraudulent voting practices is one of the heralded benefits of neighborhood polling locations, as voters must present themselves to vote and must vote in one location.³⁴ However, absentee voting also has a built-in check against fraud: voters must sign the return ballot envelopes and the signatures must be verified against the signatures on voter registration affidavits before the mail ballots are counted. If voter signatures are not consistent, the ballot will not be counted.

A successful vote-by-mail policy would require amendments to state laws to permit the tabulating of mail ballots prior to Election Day. The elections results would not be released until the regional polling centers close, or until another legally designated time.

OTHER EMERGING AND CURRENT PROFESSIONAL PRACTICES

Irrespective of the outcome of the vote-by-mail study recommended below, a wealth of professional elections practices has proven to be valuable to other jurisdictions throughout the nation. Many of these practices would be applicable to King County regardless of whether the decision makers choose to maintain the dual voting system, adopt an exclusive vote-by-mail policy, or adopt a vote-by-mail policy with regional voting centers. These practices can offer a useful guide for King County in comparing its practices to those of other jurisdictions, and for

³⁴ In the past, when neighbors knew or least recognized other neighbors, presenting yourself at the poll was a deterrent to voting more than once, because poll workers would know if you attempted to vote under someone else's name in the poll book.

selecting among many opportunities to enhance its operations. A description of these practices, the potential benefits, and applicability to King County is provided in Appendix 4. An assessment for implementing some of these practices to achieve further operational improvements could be conducted by the Elections Section after it fills the 14 new management and staff positions recently authorized.

RECOMMENDATION**24-1**

The County Council should pursue a study exploring the programmatic and financial advantages and disadvantages of three election alternatives: exclusive voting by mail; a combination of voting by mail with regional voting centers; and maintaining the status quo. The study should include information from other large jurisdictions including the practical costs and benefits of voting by mail and the security issues involved. The County Council should consider establishing a target date in early 2007 to allow sufficient time for the development and preparation of the study, as well as executive, legislative and public review of the study, prior to making a decision on a vote-by-mail policy. The council should also pursue state legislative amendments to permit early tabulating of mail ballots prior to Election Day (see Recommendation 18 for relevant information on legislative amendments).

RECOMMENDATION**24-2**

The Elections Section should evaluate implementing additional professional practices, consistent with those in Appendix 4. This should occur after filling and assessing the impact of the 14 new management and staff positions recently requested by the County Executive and authorized by the County Council.

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APPENDICES

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APPENDIX 1

SUMMARY OF PROCEDURAL BREAKDOWNS AND DOCUMENTATION OF IMPROVEMENTS FOLLOWING THE 2004 GENERAL ELECTION

The Metropolitan King County Council adopted Motion 12123 on May 23, 2005 requesting an independent and comprehensive election audit to address specific issues relating to prior elections. The Election Center conducted a management audit of elections operations to determine whether the Elections Section has made progress in addressing the eight areas of concern identified by the County Council.

We determined that the Elections Section has addressed or is in the process of addressing most of the issues. The remaining elections deficiencies are discussed in this report along with recommendations for improvement. A summary follows:

A. Incidents of previously uncounted ballots found after certification of an election.

Uncounted provisional and absentee ballots were found in polling place ballot boxes (AccuVote bins) after certification of the 2004 general election. This has been addressed by requiring poll workers to record the serial number located at the bottom of the AccuVote bins on the ballot reconciliation transmittal form. The serial number is not visible if any ballots remain in the bin. Increased poll worker training, attaching a flashlight to the inside of each bin, and continued adherence to existing procedures for troubleshooters to examine each bin before certification will also help ensure that all ballots are properly handled and counted in future elections.

B. Incomplete, incorrect or missing signature images in the voter registration database.

The Elections Section's Voter Services Unit performed a database search of the entire voter file prior to the fall 2005 elections, in order to identify missing or unreadable signatures. Based on the search results, Voter Services Unit personnel contacted voters and made significant progress in updating the files. Procedures at the mail ballot operation satellite have been enhanced and a second screening is required before ballots are separated for further research. New logs were created for tracking exception processing and secondary quality control steps to ensure that the absentee ballot counts balance were established. Any instance where a signature is not on file, or is illegible, requires a search for the original record, as well as a call and letter to the voter.

C. Procedures for tracking notification of felon convictions, cancellation of unauthorized felons' voter registrations, and retention of notification and cancellation records.

The Elections Section adheres to election law and removes felons from the rolls when notified by the courts. When former felons register to vote, the Elections Section cannot expediently verify the registrant's affidavit declaring that his/her voting rights are not restricted due to a non-discharged felony, especially if the conviction was in another county. Election offices are not investigative bodies and, for the most part, must accept signed declarations. This is also the case in verifying age or citizenship.

The Office of Secretary of State periodically compares the statewide voter registration list with the Department of Corrections' known felon listing in order to remove felons' voter registration files. When the real-time statewide voter registration system is implemented in January, 2006, the responsibility for removing such files will transfer to the state. In effect, the rules will not

APPENDIX 1 (Continued)

change but it will become easier to review the voter registration list more frequently and detect illegal registrations more quickly.

D. Reconciliation of the number of votes cast with the number of voters credited creates a history of voting. This topic is addressed in greater detail under the canvassing finding of the report. Many states do not consider applying voter credit to be part of the canvass. This has typically been done to create a history of voting that is particularly useful to political campaigns. It is a process performed by temporary employees and time has not been spent in the past to balance the number of votes cast with the number of voters credited. In November 2004, hand-wanding of the poll books was performed in a small space with inadequate verification procedures. Space limitations and noise made it difficult for staff to determine whether their hand-wanding devices were properly activated (e.g., hear a “beep”).

For the 2005 primary and general elections, the hand-wanding process is being conducted at the election distribution center where more space is available. New checklists have been developed that require staff to balance the number of signatures wanded with the number of ballots counted by the computer. The hand-wanding process will also occur at the beginning rather than at the end of canvass to allow more time for any necessary research. Balancing the number of signatures hand-wanded to the number of ballots counted is a necessary part of the canvass. In many jurisdictions this takes place when reconciling the poll books. Poll workers in King County do not count actual signatures in poll books but instead rely on a separate consolidated form that might not be accurate. Therefore, the hand-wanding of the signatures takes on a more important role.

E. Preparation and documentation of the Mail Ballot Report produced during certification of elections. Errors in past reports resulted from improper use and insufficient knowledge of new technology. Unforeseen volume increased the need for procedures but a late installation of a new software system did not provide sufficient time for detailed procedures to be developed. Additionally, supervisors and experienced staff were assigned many competing responsibilities and could not provide adequate supervision in all situations.

Several new tracking and accountability forms and procedures have been developed at the mail ballot operation satellite to ensure that all ballots are accounted for properly. Most steps are now verified to help reduce errors and improve quality control of temporary staff work. Staffing at the mail ballot operation satellite has changed drastically from 2004. None of the permanent staff assigned in 2004 remain. The only remaining staff person is the Assistant Superintendent. Management has reassigned staff from other sections of the office and brought in help from other county departments. One such person has worked exclusively on documentation and procedures. In addition, the Assistant Superintendent of Ballot Processing will take on the direct role of supervising activities at the mail ballot operation satellite. These actions demonstrate significant progress and, with proper supervision, should improve the Elections Section's performance during the September election. However, the Elections Section should continue developing desk procedures. Mail Ballot Summary reports viewed by The Election Center for the May 2005 election were properly balanced.

F. Provisional ballots inserted directly into the AccuVote machines without being verified and the possibility of multiple voting. This is a common elections issue in many jurisdictions. Several steps have been taken to prevent a reoccurrence and will serve as a possible solution for other counties. Provisional ballots will be color coded for easy recognition and will have timing marks that prevent the counter at the polling place from accepting them. Therefore, the

APPENDIX 1 (Continued)

voter has no option but to return his or her provisional ballot to a poll worker who will place it in a provisional envelope. In September, one additional poll worker will be assigned to each polling place to exclusively manage provisional ballots for all voters at that polling place. With these changes, as well as updated and improved poll worker procedures, this should no longer be an issue.

G. Timely mailing of absentee ballots and quality control mechanisms related to envelopes being mailed without ballots and military voters not receiving ballots. The Elections Section has increased quality control of the insertion process at the mail ballot operation satellite. King County also assigns quality control personnel to monitor the insertion process at the Diebold, Inc., facility. Even so, it is virtually impossible to guarantee 100 percent accuracy when inserting more than 600,000 ballots into envelopes, although that remains the goal. Mistakes will occur whether by machine or by hand, and when they do it is important to address the problem immediately. It appears that the department took appropriate measures to correct problems that resulted in the mailing of empty envelopes to voters. These ballots were inserted by hand at the mail ballot operation satellite.

New procedures are in place for the September election that will enable earlier mailing of military and overseas ballots and eliminate manual insertion. A new envelope has been developed and tested that will allow the vendor (Diebold, Inc.) to prepare this large mailing. These ballots were issued on August 17, 2005 (34 days prior to the election as opposed to 25 days in November 2004). This was only possible because the Elections Section did not wait for the voter's pamphlet and instead provided information on how to obtain or view the pamphlet on-line. More information on how to improve the process is included in this report.

H. The inventory on ballots released to poll workers, the accounting of the number of absentee ballots returned and the accounting of ballots printed "on demand." During the audit, no problems were observed in relation to the inventory of printed ballots. Each poll worker records the numbers of ballots received and the number remaining at the end of Election Day. (Return of absentee ballots from the polls is addressed in Section A above.) Absentee ballots returned through the postal service are properly accounted for at PSI Group, Inc., where envelopes are counted and sorted by legislative district, and at the mail ballot operation satellite where the counts are verified. Final reports completed prior to certification ensure that the number of ballots received and processed balance. However, controls for ballots printed on demand are inadequate. No controls have been established for ballot stock or the number of ballots that can be printed. New procedures are being implemented for the 2005 Primary Election, to include numbering stock, locking it, controlling printing, maintaining logs, and reconciling usage.

APPENDIX 1 (Continued)

In response to this audit and to other examinations, and of its own initiative, the County's elections management implemented a number of improvements to increase the effectiveness of elections operations in King County. The following is a list of documents and materials developed and/or provided by Records, Elections, and Licensing Services Division during the audit process. The Election Center was unable to verify the application of many new policies and procedures, developed as recently as August and September of 2005, but recognized the elections management's initiative in improving county elections operations and restoring the confidence of King County voters.

- *King County Elections Security Plan*, August 31, 2005
- King County Records, Elections, and Licensing Services Division, *DIMS Net Guide Scanning/Data Entry* (desk manual, employees have color copy in binder)
- Washington Secretary of State Elections Division, *An Observer's Guide to Washington State Elections*
- King County Records, Elections, and Licensing Services Division *Observer Training: An Overview of King County Elections Processes and Observer Training Guidelines*, September 2005
- King County Elections, *Affidavit of Acknowledgement Rules for Public Observers*
- King County Elections, *2005 Primary Election Observer Opportunities*, August 16, 2005
- King County Elections, *Overseer Guidelines*, September 20, 2005
- King County Elections, *Poll Worker Guidebook*
- King County Records, Elections, and Licensing Services Division Mail Ballot Operation Satellite Ballot Processing Procedures, Fall 2005
- King County Records, Elections, and Licensing Services Division, *Signature Verifier Quick-Start Reference Sheet*
- King County Records, Elections, and Licensing Services Division, *Phone Bank Manual*, August 2005
- Robis, Inc., *Election Decision Support System Ask ED User Guide*
- King County Records, Elections, and Licensing Services Division, King County Elections Audit Response Support Documents, September 20, 2005
 - Organizational Chart – Elections
 - Training/Procedure Manuals:
 - Poll Working Guidelines Manual
 - Observer Training Materials/guidelines, King County and State
 - Mail Ballot Processing Procedures
 - Phone Bank Procedures Manual
 - Canvassing/Provisional Ballot Procedures
 - DIMS Net Desk Manual
 - Ballot on Request Procedures
 - Business/Communications/Technology Plan (business and operating plan updated 8-19-05; media management plan updated 2005)
 - Security Plan (Updated 8-31-05)
 - Copies of E-UPDATE (Series of newsletters July 2005 to September 19, 2005)
 - Copies of Election Stakeholder Update (Series of newsletters September 6-19, 2005)
 - International Examiner, Doug Chin Article re: King County Chinese Language Efforts
 - Over The Counter Ballot on Request Procedures, audit log, daily detail log, daily reconciliation log, and absentee mail-in ballot request form (in English and Chinese)
 - Canvassing Process Definitions
 - King County 2004 Elections Report

APPENDIX 2

PROJECT METHODOLOGY

King County did not conduct an election during the course of the audit. Although the audit team was unable to observe a complete county election cycle, the audit of county’s election operations includes the review of prior elections, as well as comprehensive interviews, facility tours, document reviews, and other fieldwork activities and analyses.

Audit Interviews, Tours, Reviews, and Other Fieldwork Activities	
<p style="text-align: center;">Interviews</p> <ul style="list-style-type: none"> ▪ King County Councilmembers ▪ King County Executive ▪ Elections Section Managers and Staff, (including Poll Workers) ▪ Former Elections Section Employees ▪ Washington State Office of the Secretary of State and Staff ▪ Director, Federal Voting Assistance Program ▪ Director, Election Crimes Branch, Public Integrity Section, U.S., Dept. of Justice ▪ Chief, Voting Section, Dept. of Justice ▪ King County Facility Management Staff ▪ Council Election Oversight Committee Representatives ▪ Independent Task Force Representatives ▪ Political Party Observers ▪ Voting Rights Act Section 203 Coalition ▪ Key Elections Section Supply and Print Vendors ▪ Other Stakeholders 	<p style="text-align: center;">Document Reviews</p> <ul style="list-style-type: none"> ▪ Federal and State Election Law: <ul style="list-style-type: none"> --Voting Rights Act --National Voter Registration Act --Help America Vote Act --Uniformed and Overseas Citizens --Absentee Voting Right Act -- Revised Code of Washington Title 29A -- Washington Administrative Code Chapter 434 ▪ Elections Section Policies and Procedures ▪ Previous Elections Section Studies <ul style="list-style-type: none"> --Council Elections Oversight Committee Report --Independent Task Force Report --Secretary of State Report ▪ Elections Events Calendars ▪ Elections Section Security Logs ▪ Facility Management Space Projections Report ▪ 2005 Business Plan ▪ Employee Survey (Survey Monkey) ▪ Functional (Duty) Statements ▪ Workload Statistics ▪ Forms and Envelopes for Absentee Ballots ▪ Press Releases and News Articles ▪ Poll Worker Manuals ▪ Poll Worker Training Presentation ▪ The Election Center Check Lists ▪ The Election Center Best Professional Practices ▪ Election Assistance Commission Best Practices Web Site
<p style="text-align: center;">Election Facilities Tours</p> <ul style="list-style-type: none"> ▪ Existing and Proposed King County Election Facilities ▪ Election Facilities in Pierce and Snohomish Counties ▪ Diebold, Inc., K&H and PSI Group Vendor Facilities 	

APPENDIX 2 (Continued)

Audit Interviews, Tours, Reviews, and Other Fieldwork Activities	
Other Fieldwork Activities	
<ul style="list-style-type: none">▪ Attended Elections Section Staff Meetings▪ Attended Focus Group Meetings▪ Attended Data Information Management System (DIMS) User's Meeting▪ Attended DIMS Training Program▪ Conducted Survey of 11 Washington State Counties▪ Conducted Survey of Other Comparable Jurisdictions' Facilities Arrangements	

**APPENDIX 3
PROFESSIONAL ELECTION PRACTICES
FOR KING COUNTY**

Throughout the chapters of this report, King County’s elections practices, organization, facilities and security have been reviewed in light of legal requirements and best practices. In this appendix, the audit team presents its compilation of additional professional elections practices that have been valuable to other jurisdictions throughout the nation. This compilation can offer a useful guide for King County in comparing its practices to those of other jurisdictions, and in identifying practices that could further enhance its operations. Many of the professional practices would require further assessment of feasibility or a plan before implementation.

These professional elections practices are organized according to the report chapters and subject matters to which they correspond. Brief descriptions are given of the practice, its benefits, and how it would be applicable to King County.

Function	Source	Practice	Benefit	Applicability to King County
CHAPTER 2 – LEADERSHIP INITIATIVES				
Community Involvement	Montgomery County, Maryland	Elections Task Force of key county managers (County Executive, County Council, Public Works Department Head, Head of Public Schools, Information Technology and Telecommunications Director, etc.) provides assistance on Election Day	This program provides support not only for Election Day (recruitment of county employees as poll workers and troubleshooters, etc.) but also support for the increased challenges in the election environment (such as voting technology).	Provides an opportunity for King County to utilize its high-level managers to support the election process and build confidence in the election process.
Community Involvement	Los Angeles County, California	Community Voter Outreach Committee of community leaders, community-based organizations, county clerks, disabled community advocates, political party representatives, and other interested individuals attend twice yearly committee meetings.	The committee creates a partnership between the county and community organizations to maximize voter outreach and education efforts, provide better voter services, and offer feedback on important election issues.	Builds community partnerships in the election process.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Customer Service Survey	San Diego and Sacramento counties, California	One-page survey (postage paid) rating service, which can be mailed to voters and poll workers, and/or distributed at polling places.	Identifies areas for improvement.	Helps restore confidence in election process.
Disaster Preparedness	Johnson County, Kansas	Comprehensive Continuity of Operations Plan developed to respond to disaster in partnership with the county's Emergency Preparedness Department.	Provides procedures for disaster recovery, evacuation procedures, and security procedures in the event of a natural or man-made disaster.	Provides a model elections planning document for use by King County in developing comprehensive disaster plan.
Voter Outreach	Broward County, Florida	Annual "High School Senior Registration Day" conducted to encourage seniors to register to vote and learn about the election process. Program motivates seniors immediately prior to the actual registration period. Competition with other county high schools generates positive responses. (Florida law allows teens to pre-register to vote at 17 effective on 18th birthday.) At least 10,000 seniors register annually.	Reminds young people that voting is important, and that government officials and educators want them to vote.	Generates excellent publicity and enthusiasm in the community. Media coverage is always positive.
Media Handbook	New York State Election Board and Los Angeles County, California	Comprehensive handbook is prepared containing historical data and other information that reporters need to fully understand and report on each election.	Promotes better media understanding of the election process, reducing the number of media calls and reporting errors.	Provides better service to the media with less impact on the election office. King County is a media center and focus of media attention.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
CHAPTER 3 – ELECTION PREPARATION				
Voter Education	Cook County, Illinois	Election Office's web page offers an online voter guide, including sample ballot listing the offices and candidates for the upcoming election, voter registration and polling place location search features.	Provides voters an opportunity to download a personalized virtual ballot, and convenient search voter registration and search features.	Provides opportunity to use technology to reach voters at little or no additional expense to King County.
Voter Education	Broward County, Florida	Sample ballot, in the same format that will appear in the voter's precinct on Election Day, is mailed to each household with a registered voter at least ten days prior to the general election.	Reminds voters of their precinct numbers and polling place. Also, provides instructions for using the voting system and a poll worker application for future elections.	Allows voters to study ballot in an area with multiple ballot styles.
Candidate Filing	Best Practice	On-line candidate filing through county web site that allows candidates to download, sign and send in an e-filing form along with filing fees.	Provides convenient filing method for candidates who would otherwise have to travel to elections office. This is a significant benefit in large counties.	On-line candidate filing would be helpful, but King County's in-person filing operation is well-regarded.
Candidate Filing	San Diego and Los Angeles counties, California	Provide each candidate a comprehensive candidate handbook with information needed to run for office.	Enhances customer service, assists participation in the electoral process, reduces errors and problems that result in delays or court cases. Reduces reliance on verbal instruction.	Benefits all candidates, particularly new candidates.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Candidate Seminars	San Bernardino, California	As soon as candidate filing ends, meet with candidates and their campaign people. Review laws and procedures regarding campaigning and election results. Provide information on services available through the election office.	Helps candidates avoid mistakes, and improve communications and understanding. Helps new candidates understand the process and participate fully.	Would allow King County to provide information to candidates on the county's unique requirements.
Checklists	Election Center	Election checklists developed with input from administrators nationwide provide useful guides in administering elections.	Provide consistent procedures for managing elections with topics on accessibility preparations, ballot security, polling place preparations, voting systems, and recount procedures.	Provide assurance that procedural steps are followed consistently by staff throughout the election process.
Mail Ballot Processing	Diebold, Inc., Product	Electronic signature verification is still in development, but would allow signatures on incoming mail ballot envelopes to be electronically scanned and compared to signatures on file from voter registration affidavits.	Has the potential to significantly improve productivity in processing returned mail ballots. Signature comparison for most ballots is automated, so only the questionable signatures require human intervention.	Significantly reduce the staff costs for processing King County's high volume of mail ballots. King County should test the practice when it is ready for use.
Accountability of Ballots	Santa Clara, California	Bar codes on optical scan ballots are used to control ballot stock.	Ensures that only one ballot is inserted into each envelope and organizes ballots in serial number order.	Prevents errors in accounting for ballot stock.
Accountability of ballot stock	State of California	All ballot stock is tinted and watermarked, and then issued by the state to printers to promote accountability.	This prevents unauthorized printing of ballots as the state can account for every piece of ballot stock.	Provides a model for Washington State and/or King County

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Ballot on Demand Controls	Johnson County, Kansas	Limits use of ballot on demand, and provides ballot printing, storage and quality controls.	Reduces opportunities for misuse of ballot stock and ensures that ballots are printed correctly.	Promote controls for King County ballot stock.
Polling Place Consolidation	Johnson County, Kansas	Integrating voter address and polling place data with GIS provides a tool to view polling place data (size, capacity), along with expected voter turnout. This information is useful in consolidating precincts into centrally located voting locations. After also accounting for expected absentee voters, polling places are assigned based on a formula that determines how many individuals are “expected to vote” in each precinct.	Provides information for the best use of available and accessible polling places; reducing the number of polling places, and improving the quantity of poll workers.	Provides a model for King County, especially due to the large number of absentee voters.
Phone Bank	San Diego and San Bernardino Counties, California	Tabbed manuals are provided to temporary staff to provide easy to find responses.	The manuals assist in training, and ensure accurate, consistent, and faster responses.	King County has a large phone bank and is working now to improve procedures.
Tracking Polling Place Election Day Problems	San Francisco, California	Electronic entry of Election Day problems, coded by type of problem.	Provides ability for multiple people to view Election Day events and sort issues into categories, and track the time between reporting and correcting problems. Ensures problems are not overlooked.	King County uses troubleshooters on Election Day to correct problems.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Mailing Military and Overseas Ballots	Election Assistance Commission www.eac.gov	Best practices for facilitating voting by U.S. citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act.	Improve service and get ballots out as early as possible.	King County has a large number of military and overseas voters.
Early Final Processing of Absentee Ballots	San Diego, California, State of Kansas	State law allows for running ballots through the tabulators (but not producing results) up to one week prior to Election Day.	Ensures that all ballots are electronically stored and ready for counting on Election Day and added to the election night count. This eliminates large backlog of uncounted ballots and reduces uncertainty in close races.	King County is unable to count all absentee ballots that are ready on Election Day. King County is considering the purchase of additional optical ballot scanners in order to process these ballots in one day.
Coded Time Sheets	San Diego, California	Code labor usage by the task being performed and what (if any) election it is for.	Improves billing process for election services. Identifies labor costs by task when deciding whether to eliminate a task due to new technology, etc. Assists in planning staffing for budget and future elections.	Provides better tracking of labor.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
CHAPTER 4 POLL STAFFING AND ACCESSIBILITY				
Poll Worker Recruitment	Johnson County, Kansas	An “Adopt a Polling Place” program provides an opportunity for charitable organizations to participate in a fund-raising project by recruiting election workers from their membership base. The members, in turn, donate their Election Day earnings to the charitable organization.	Participation in this partnership will promote civic responsibility, support the democratic process, and earn dollars for community needs.	Provides an opportunity for King County to partner with the community’s private businesses and charitable organizations to recruit election workers. Participation builds community understanding of the election process.
Polling Place and Poll Worker Recruitment	Johnson County, Kansas	A “Partners in Democracy” program is an outreach campaign to increase community involvement in the election process.	The program enlists business support of the election process by using non-traditional sites provided by business, and also expands the number of election workers to include employees “on loan” from businesses.	Would partner the King County Elections section with the business community to provide accessible polling places, election workers, and poll worker appreciation incentives.
Poll Worker Recruitment	Metropolitan Kansas City – bi-state six county project	Working with six county election offices within a metropolitan bi-state area, a program called “Making Voting Popular” was developed to recruit poll workers from the corporate workplace by encouraging employers to provide paid “civic leave” to employees that sign up to work on Election Day.	The program benefits the election office and the business community by: <ul style="list-style-type: none"> • Educating the working public about the voting process, • Creating opportunities for individuals and organizations to commit to and meet civic responsibilities, and • Creating channels for other election-related outreach programs. 	Provides a model program that can be replicated in King County. Enables the county to request that the corporate and the business community release employees with pay to serve as poll workers on Election Day.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Poll Worker Training	Orange County, California	Vendor-produced CD and on-line interactive training is provided on the Web site. Anyone can use it to learn about working at the polls.	Reinforces in-person training classes; trains those who cannot attend class; allows viewers to study at their own pace.	Increases the knowledge base of poll workers and the public alike.
Poll Worker Training	Johnson County, Kansas	Recognizing the need for poll workers to review training procedures in the week prior to an election, a program called "Practice Makes Perfect" was developed to give poll workers the ability to visit any of four training sites at their convenience to practice election day procedures.	This program gives poll workers the needed additional hands-on experience with voting equipment and opening day procedures. It also provides the opportunity for one-on-one interaction in a setting that resembles the real experience on Election Day.	A model program that can be implemented in King County in 2006 when an accessible voting machine must be deployed at every polling place.
Poll Worker Communication	Los Angeles, California	A poll worker newsletter, "The Poll Cat" is developed to provide a communication link between poll workers and the Election Office.	This newsletter serves at least three purposes: (1) Educates poll workers on the county's strategic initiatives such as new voting systems, (2) Briefs poll workers on key procedures for that particular election such as changes in the roster of voters, (3) Highlights interesting poll workers such as long-time poll workers, poll workers who perform beyond expectations, student poll workers, etc. and (4) Repeatedly seeks input from and acknowledges the poll workers.	Provides an opportunity to establish an ongoing communication link between the Elections Section and the King County poll workers.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Polling Place Support	Montgomery County, Maryland	A polling place support program was developed in partnership with the local League of Women Voters who are provided a stipend for intensive training and Election Day duties. The league surveys five to seven polling places for a minimum of 30 minutes each to observe and complete a checklist. These results are shared with the chief poll worker.	A post-election debriefing helps the election office to develop its training methods and provides feedback on poll worker performance.	An excellent opportunity for King County to ensure that all polling place operations are functioning in a uniform fashion.
Poll Worker Hot Line	San Diego, California	A special telephone number, only for poll workers, is given to them to report problems. A Flip guide for the call receivers is available to provide quick response to a variety of issues.	Reduces time needed to remedy problems. Ensures consistent and accurate answers.	King County has a hotline – the flip guide would be helpful.

Function	Source	Practice	Benefit	Applicability to King County
CHAPTER 5 – POST-ELECTION PROCESSES				
Canvass Process	California Association of Clerks and Elected Officials	Brochure available to public containing purpose, events and code sections that apply, definitions, observer info, etc.	Consistent information available to general public. Each county can supplement with specific task information as needed.	Helps improve understanding of electoral process and reduces misunderstandings.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Recount	California Association of Clerks and Elected Officials	Brochure (one-page handout) containing information on: who can request a recount, timing, format, place of filing, notice, process, results, cost and payment, and notice of 1 percent automatic manual recount available during canvass at no cost.	Quick reference to provide accurate information to anyone considering a recount. Saves time for public and election officials. Can be posted on Web site and available on counters.	Recounts are likely for future elections and will have substantial public involvement.

Function	Source	Practice	Benefit	Applicability to King County
CHAPTER 6 - FACILITIES				
Security	Sacramento County, California	Electronic card keys are used to control access to the work area of the building including the information technology area and areas where ballots and other sensitive material are stored.	This prevents unauthorized individuals from being in controlled areas, and maintains electronic logs of individuals entering these areas.	Provides security for ballots, records and staff. Security has not yet been established.
Security	Sacramento County, California	Video monitoring cameras are focused on areas where ballots are handled and stored.	This maintains a record of activities involving ballots. Provides reassurance that ballots were not mishandled or tampered with.	Helps to establish credibility and increase voter confidence.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
CHAPTER 7 – ELECTIONS TECHNOLOGY				
Electronic Poll Books	Diebold, Inc.	Provides the ability to check in any voter at a central location, i.e. vote center. Voter credit is automatically recorded, eliminating the need to manually record voter credit from paper poll books after the election.	Ensures accurate and quick application of voting history. Voters can check in a central location by name, eliminating the need to remember their precinct number.	Saves time and reduces labor costs; King County must apply voting history during canvass.
AccuVote Diagnostic Testing	San Diego, California	Comprehensive procedure checklist for testing AccuVote units and memory cards.	Ensures consistency and eliminates errors on Election Day.	Applicable because King County uses the AccuVote system.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to King County
Voting System Implementation and Deployment	Johnson County, Kansas	A publication, "Implementing A Voting System From a Local Election Administrator's Viewpoint", was written to provide advice on developing an RFP; rating and selecting a vendor; key warehouse storage, layout and electrical needs; sample acceptance testing procedures; sample voting machine diagnostics; logic and accuracy testing; Election Day troubleshooting and a sample audit tracking mechanism. An appendix is devoted to paper ballots for voters physically unable to vote in person, back-up paper ballots for long lines or catastrophe and for provisional/challenged votes on paper ballots.	As election offices move to implement voting machines at polling places, this booklet has many procedures, tips, and checklists that can be useful to election administrators and their staff.	Provides proven techniques and procedures that can be implemented in King County.

APPENDIX 3 (Continued)

Function	Source	Practice	Benefit	Applicability to KC
CHAPTER 8 – FUTURE CONSIDERATIONS				
Regional Voting Centers	Clark County, Nevada; Larimer County, Colorado; Hawaii; Texas	Establish large-scale voting centers that consolidate many voting precincts and/or polling locations. A regional voting center can be set up in a shopping center, community center or other public place with adequate parking, security and telephony connections. This can be facilitated by electronic poll books where the entire county’s voter roll is available to the poll workers at the regional center allowing any voter from the county to vote regardless of their residence.	Regional voting centers have two key benefits: scale economies can reduce the cost of poll-based voting through consolidation of locations and the need for less staffing. It can be more convenient for voters as they can vote at any center and not just an assigned location in their neighborhood.	King County has been moving in this direction through an active program of consolidating precincts. A true regional voting center, however, would be open to all county residents and may handle thousands of votes per day rather than a few hundred. Regional voting centers would complement vote-by-mail elections by offering an alternative to those who prefer to vote at a poll.
Early Voting	Texas, Kansas	Provide extensive, in-person, early voting as much as two or three weeks prior to the traditional Election Day. Some jurisdictions set up centers for early voting (similar to regional voting centers).	Widespread early voting provides convenience to voters who otherwise may not be able to visit their assigned polling location on Election Day due to work or family commitments. The voter can cast a ballot when it is convenient for their schedule.	King County effectively has widespread early voting due to the popularity of mail balloting. Early in-person voting is not available in the county however.

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APPENDIX 4

ELECTION ACTIVITIES AND BUILDING FEATURES

An elections facility is needed to accommodate the following:

- Administrative and management functions
- Election operations
- Voter services (including walk-in services)
- Geographic Information Systems activities
- Registration processing
- Technology services
- Poll worker and polling place coordination
- Training and conferences
- Canvass activities
- Phone bank operations
- Receiving and opening mail (primarily voter registration affidavits and ballots)
- Signature and eligibility verification
- Ballot tabulation
- Observation
- Storage, both secure and non-secure

An appropriate facility would have at least the following features:

- Large work area that promotes efficient and effective work flow
- Aisles wide enough to allow for the movement of ballots and other material with the use of carts and forklifts without disturbing staff, observers and others
- Adequate air conditioning and heating, including temperature and humidity conditions, as recommended by ballot counter and computer manufacturers
- A loading dock or area for moving ballots
- Cable wiring to accommodate telephones, computers, workstations, printers and ballot counters
- Compliance with earthquake seismic requirements
- Compliance with floor load requirements for the weight of the ballots, etc.
- A break and lunch area for staff (recommend a lunchroom with room to eat, a sink, and preparation space*)
- Staff parking close by (recommend parking for 75 to 100 cars*)
- Security for ballots, counting equipment and computers including secured keycard entry with computerized log maintenance, video surveillance, motion detectors and ceiling-high cages including a caged ceiling
- Adequate power for computers, printers and ballot counters
- Continuous uninterrupted power sources for emergencies
- Room for observers which avoids security issues
- Adequate restrooms (recommend at least three bathroom stalls per gender*)
- Meeting and conference areas
- Ability to accommodate growth in population, workload and changes in law, including the ability to conduct elections exclusively by mail

*Page 2, Colliers International, Review of Representative Services, June 15, 2005

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LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE

Recommendation 1: The County Executive, in cooperation with the County Council, should strengthen the management structure of elections by elevating the Elections Section to division status with dedicated elections management reporting to the County Administrative Officer/Director of Executive Services. The following chart shows the proposed structure:

Executive Response: Partially Concur

Executive Implementation Schedule: The Executive will establish an appropriate work group to fully examine the options for elevating the elections function within the county's organizational structure, while meeting the needs of the other sections of REALS.

Once the options are fully developed and considered, the Executive will include a proposal for reorganization.

Recommendation 2: The REALS Director should request the services of the King County Human Resources Department in performing a study of the Elections Section management and supervisory positions, and develop job descriptions and classifications that will attract high-caliber, experienced candidates to fill vacant positions. (Panels consisting of county personnel, election experts both from within Washington State and from other public jurisdictions of a similar size could also be asked to screen and interview applicants to help ensure that the most qualified candidates are hired.) Qualified candidates with proven records of stability and long-term commitment to previous employers should be given strong consideration in future hiring decisions.

Executive Response: Concur

Executive Implementation Schedule: The REALS Director will ask the Human Resources Division to conduct a classification study and compensation review for all Elections' management and supervisory classifications during the first quarter of 2006.

Recommendation 3: The Elections Section management should make the business plan visible by broadcasting all elements of the plan widely among the section staff and ensure that all personnel are advised of their roles and responsibilities for achieving business plan goals and objectives.

Executive Response: Concur

Executive Implementation Schedule: This recommendation has been partially implemented already. Full implementation will occur during the first quarter of 2006.

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 4: Elections Section management should assign staff to develop a comprehensive disaster plan to ensure the rapid and complete response and recovery of the county elections operations preceding, during, or following an emergency or disaster.

Executive Response on Agency Position: Concur

Executive Schedule for Implementation: The Elections Section adopted a Crisis Communication Plan prior to the 2005 primary. During the first quarter of 2006, this plan will be reviewed and revised to ensure it meets the elements noted in this recommendation.

Recommendation 5: A draft event calendar should be completed and circulated at least six months before a primary or general election in the future in accordance with best election practices.

Executive Response: Partially Concur

Executive Implementation Schedule: Election calendars for the 2006 primary and General Election will initially be prepared and distributed six months prior to the dates of the elections.

Recommendation 6: The REALS Division Director should ensure that the elections media plan is fully and effectively implemented to facilitate external communications and to help restore public confidence.

Executive Response: Concur

Executive Implementation Schedule: This is an ongoing body of work and is addressed in the Elections Section Business and Operating Plan. The proposed strategy should be an element in all election planning efforts.

Recommendation 7: The County Council should consider proposing changes to Washington State law that permit candidate filing to begin and end earlier—possibly 60 days prior to Election Day—to allow for more time to mail absentee ballots for primary elections. In addition, the council should consider proposing legislative changes to establish an earlier date for primary elections, possibly in early June or late May, and to allow more time (up to 28 days) for the canvass.

Executive Response: Concur

Executive Implementation Schedule: The Executive has included this issue in a proposed motion pending before Council for adoption as part of the county's 2006 legislative agenda.

Recommendation 8: None

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 9: The Elections Section should implement procedures to ensure that scanning of new voter registration signatures and correction of all voter registration files are completed before each election.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has already complied with this recommendation.

Recommendation 10: The Elections Section should update its procedures annually, and create detailed procedure manuals for all critical election tasks. Priority in developing new, easy-to-use procedures should be given to those tasks that are generally assigned to temporary employees. In addition, the Elections Section should ensure that all workers have desktop procedures that contain as much detail as necessary so that employees have readily available information.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has made significant progress in the area of updated and documented procedures. While this is an ongoing, dynamic body of work, a complete set of up-to-date, documented procedures for all elections functions will be in place by June 2006.

Recommendation 11: The Elections Section should continue instituting new control procedures for printing ballots on demand, such as using common ballot stock.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has already complied with this recommendation.

Recommendation 12: The County Council should consider proposing language to amend RCW 29A.80.051 so that the rules for electing precinct committee officers are more closely aligned with those used in the State Constitution for election of superior court judges. If a precinct committee officer candidate files and is unopposed in the primary election, they should be declared the winner without qualifiers (i.e., margin of victory). This will allow precinct committee officer candidates to experience the election rituals of filing for candidacy without unnecessarily adding complexity to the ballot design.

Executive Response: Concur

Executive Implementation Schedule: The Executive will propose including this issue in the county's 2006 legislative agenda.

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 13: The Elections Section should consolidate and locate the entire phone bank in a single area with proximity to other voter services as well as provide sufficient phone lines and space for phone bank staff and supervisors. (Also see related procedural and training recommendations under Recommendation 14.)

Executive Response: Concur

Executive Implementation Schedule: Implementing this recommendation is dependent upon addressing the facility needs for the entire elections operation.

Recommendation 14: The Elections Section should continue providing opportunities for poll workers to receive hands-on training, role-playing, and visualization of new procedures, and participate in questions and answer sessions in the future. In addition, the Elections Section should update and redistribute its detailed procedure manual to all poll workers annually.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has already made significant progress in this area. Full implementation will be in place for the 2006 primary and General Election.

Recommendation 15: The Elections Section should establish a poll worker performance tracking and evaluation program that can be used to improve poll worker performance through effective coaching, counseling and training. The DIMS poll worker module should be used to facilitate tracking of poll workers and issues so that follow-up actions are appropriately focused.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section will develop and implement a poll worker performance tracking system that can be tested during the 2006 special election cycle and fully implemented for the 2006 primary and General Election.

Recommendation 16: The Elections Section should continue to expand its efforts to recruit sufficient bilingual poll workers in compliance with Section 203 of the Voting Rights Act.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has made significant progress in the area of bilingual poll worker recruitment. These efforts and the associated program are ongoing.

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 17: The Elections Section should secure available funding from the Secretary of State's Office to retain a planner to complete a report documenting the accessibility status of its polling sites and to develop recommendations for improvement. Priority should be given to improving or relocating poll sites, based on the report recommendations immediately after the 2005 general election to comply with federal accessibility mandates by 2006. The planner should develop an effective notification process and materials for voters to ensure that they know what accessibility improvements to expect or where the alternate accessible poll sites are located well in advance of the spring 2006 elections.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has submitted a grant request to the Secretary of State seeking federal Help America Vote Act funding to hire a planner to complete this work. Target for completion is by the end of the first quarter 2006.

Recommendation 18: The County Council should consider proposing amendments to state statutes to allow final tabulating of absentee ballots one week prior to an election, but not releasing the official results until the poll ballots are counted on election night. Alternatively, the Elections Section should explore the cost and benefits of purchasing new tabulators to expedite the ballot count process.

Executive Response: Concur

Executive Implementation Schedule: The Executive will propose including this issue in the county's 2006 legislative agenda.

Recommendation 19: The Elections Section should ensure newly developed canvassing rules and procedures are effective through their practical application during the 2005 election.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section has already implemented this recommendation in a beta format for the 2005 primary. The procedures will be reviewed and refined for the 2005 General Election and formally adopted for the 2006 election cycle.

Recommendation 20: Elections Section management and the major King County political parties should continue to meet before future elections to discuss the specific election activities to be observed. The parties should be provided complete information on new developments and any procedural changes for public observers immediately prior to all future elections.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section will fully implement this recommendation for the 2006 primary and General Election.

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 21-1: King County should acquire or lease a consolidated elections facility. The facilities should preferably accommodate a warehouse, the mail processing functions, and elections administration. The county should discontinue its use of the current mail ballot operation satellite facility as soon as practical, and relocate the existing operations to a consolidated facility. If a consolidated facility is not available, a new facility should be leased to accommodate the space and security needs of the current functions conducted at the mail ballot operation satellite.

Executive Response: Concur

Executive Implementation Schedule: The Executive will continue ongoing efforts to seek Council approval for a consolidated elections facility. The Elections Section and the Facilities Management Division will continue to cooperate in these efforts – providing detailed and timely responses and information to support proposals presented to the Council.

Recommendation 21-2: The Elections Section should implement the following security upgrades, and develop appropriate procedures as soon as possible:

- Uniformed security personnel should be present 24-hours per day, seven-days per week from the time un-voted ballots are delivered to elections facilities until completion of the canvass and certification of the election or until security is improved.
- Elections facilities should be locked at all times when either voted or un-voted ballots are stored on site. The security company should be contacted if the alarm is triggered.
- Entry to elections facilities should be limited to those holding electronic keys. Identification, such as a card key, should be required for entry.
- The caged areas and information technology areas should be electronically secured. Cages should extend all the way from the floor to the ceiling. The ceiling should be wired, and motion detectors installed to monitor the perimeter of caged areas. Unauthorized access to the cage should trigger an alarm. Electronic and video records should be maintained to document who has entered the caged area.
- Video cameras should also be placed in such a way that all elections activity is video taped. No ballots or sensitive materials should be processed or taken beyond the view of a video camera, unless they are otherwise secured.
- Security should be assessed at all existing facilities and for any newly acquired facilities. These assessments should be conducted by a certified professional specializing in facility security.

Executive Response: Partially Concur

Executive Implementation Schedule: The REALS Division will contract for a professional security assessment during the first quarter of 2006 and submit a supplemental budget proposal during the second quarter to fund implementation of the recommendations made in the security assessment.

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 22: The Elections Section should develop DIMS Net system control procedures to ensure that requests for new software applications and modifications are compatible with the DIMS Net data exchange software. The Elections Section should also develop policies and procedures to assure that software modifications incorporated within each version upgrade are analyzed and tested, allowing for possible changes in procedures or training prior to deployment to the county's live voter registration systems.

Executive Response: Concur

Executive Implementation Schedule: The recommended actions are part of ongoing technical support and management of the county's election management and voter registration system.

Recommendation 23: The Elections Section should develop a strategic information technology plan to leverage its DIMS Net and other new technologies to support future election initiatives such as vote-by-mail and regional voting centers.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section will start the strategic planning process in the first quarter of 2006 with a final adopted plan by the end of the second quarter of 2006.

Recommendation 24-1: The County Council should pursue a study exploring the programmatic and financial advantages and disadvantages of three election alternatives: exclusive voting by mail; a combination of voting by mail with regional voting centers; and maintaining the status quo. The study should include information from other large jurisdictions including the practical costs and benefits of voting by mail and the security issues involved. The County Council should consider establishing a target date in early 2007 to allow sufficient time for the development and preparation of the study, as well as executive, legislative and public review of the study, prior to making a decision on a vote-by-mail policy. The council should also pursue state legislative amendments to permit early tabulating of mail ballots prior to Election Day (see Recommendation 18 for relevant information on legislative amendments).

Executive Response: Concur

Executive Implementation Schedule: The Executive will cooperate in any action taken by the Council in response to this recommendation.

LIST OF RECOMMENDATIONS & IMPLEMENTATION SCHEDULE (Continued)

Recommendation 24-2: The Elections Section should evaluate implementing additional professional practices, consistent with those in Appendix 4. This should occur after filling and assessing the impact of the 14 new management and staff positions recently requested by the County Executive and authorized by the County Council.

Executive Response: Concur

Executive Implementation Schedule: The Elections Section will incorporate review of the best practices listed as well as others available through recognized election administration organizations in its ongoing planning.

EXECUTIVE RESPONSE



King County

Ron Sims

King County Executive
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September 28, 2005

Cheryle A. Broom
King County Auditor
Room 1020
COURTHOUSE

Dear Ms. Broom:

Thank you for the opportunity to review the proposed final report of the Management Audit of King County Elections Operations. I concur with the findings and recommendations of the audit team, and I look forward to working with the Council in addressing the needs of the elections function of our county government and supporting the Records, Elections and Licensing Services Division on their course of continuous improvement.

It is clear that the audit team conducted a very detailed review of the Elections Section operations. Their observations and recommendations are well thought out and demonstrate the value of third-party review by experts in the field of elections. I have enclosed a table that indicates my response to each of the audit recommendations and that sets forth a proposed schedule for implementation along with relevant comments. In many instances, you will find we have already taken significant steps toward implementing the recommendations.

I am particularly pleased with the assessment in Appendix 1 of the progress the Records, Elections and Licensing Services Division has made in addressing the procedural breakdowns from the 2004 General Election. This confirmation goes a long way in helping to restore public trust and confidence in our electoral process and further demonstrates the hard work and commitment of our county elections staff.

This audit report demonstrates and validates the critical facilities needs of the Elections Section. Clearly, the election administration experts assembled on your audit team recognize the efficiency and security that will be gained through a single, consolidated elections facility. I will continue efforts already underway to again place before the Council options to expedite procurement of such a facility.



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and complies with the Americans with Disabilities Act*



EXECUTIVE RESPONSE (Continued)

Cheryle A. Broom
September 28, 2005
Page 2

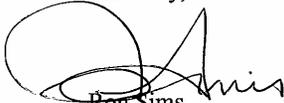
Finally, I appreciate the emphasis placed on elevating the status of elections administration as an essential function of county government. I will establish an appropriate work group to fully examine the organizational options for accomplishing that goal while ensuring that the other important services and functions of the Records, Elections and Licensing Services Division are met.

As indicated in this audit report, significant improvements have been made while additional work remains. The administration of the September 20 Primary demonstrated marked improvements in the areas of:

- Timely mailing of absentee ballots to military and overseas voters
- Increased security and accountability of provisional ballots
- Updating and cleansing of the voter registration rolls including removal of deceased voters and convicted felons
- Improved training and newly developed procedure manuals for poll workers
- Enhanced security at election facilities including video surveillance
- More thorough ballot reconciliation and accountability
- Standardized procedures for ballot processing and voter registration workflow
- Implementation of a quality management and assurance program
- Expanded voter outreach and education

Collectively, we have made great strides in addressing challenging and complex issues related to the election administration functions of county government. Among these issues, we have dealt with organizational structure, procedural development and documentation, technical support, and security. I appreciate your efforts and those of your staff in moving these important recommendations forward.

Sincerely,



Ron Sims
King County Executive

Enclosure

cc: Kurt Triplett, Chief of Staff, Executive Office (EO)
Sheryl Whitney, Assistant County Executive, EO
Paul Tanaka, County Administrative Officer, Department of Executive Services (DES)
Dean Logan, Director, Records, Elections and Licensing Services Division, DES
David Lawson, Internal Audit Manager, Office of Management and Budget

EXECUTIVE RESPONSE (Continued)

KING COUNTY ELECTIONS OPERATIONS MANAGEMENT AUDIT EXECUTIVE RESPONSE – September 28, 2005

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>Recommendation 1 The County Executive, in cooperation with the County Council, should strengthen the management structure of elections by elevating the Elections Section to division status with dedicated elections management reporting to the County Administrative Officer/Director of Executive Services.</p>	<p>Partially concur</p>	<p>The Executive will establish an appropriate work group to fully examine the options for elevating the elections function within the county's organizational structure, while meeting the needs of the other sections of REALS.</p> <p>Once the options are fully developed and considered, the Executive will include a proposal for reorganization.</p>	<p>We concur with the proposal to elevate the status of the elections function within the county's structure. The specific means for achieving that elevation should be studied.</p> <p>The fiscal impacts and the needs of the other sections of the existing Records, Elections and Licensing Services (REALS) Division need to be fully evaluated, whereas this audit only looked at the elections function.</p>
<p>Recommendation 2 The REALS Director should request the services of the King County Human Resources Department in performing a study of the Elections Section management and supervisory positions, and develop job descriptions and classifications that will attract high-caliber, experienced candidates to fill vacant positions. (Panels consisting of county personnel, election experts both from within Washington and from other public jurisdictions of a similar size could also be asked to screen and interview applicants to help ensure that the most qualified candidates are hired.)</p>	<p>Concur</p>	<p>The REALS Director will ask the Human Resources Division to conduct a classification study and compensation review for all Elections' management and supervisory classifications during the first quarter of 2006.</p>	<p>REALS routinely utilizes personnel from other Washington counties and/or the Office of the Secretary of State for screening and interviewing applicants for Elections' supervisory and management positions.</p> <p>Organizational culture and work climate are also significant factors. County leadership needs to foster an atmosphere of trust and cooperation in order to attract and retain skilled elections professionals.</p>

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>Qualified candidates with proven records of stability and long-term commitment to previous employers should be given strong consideration in future hiring decisions.</p>			
<p>Recommendation 3 The Elections Section management should make the business plan visible by broadcasting all elements of the plan widely among the section staff and ensure that all personnel are advised of their roles and responsibilities for achieving business plan goals and objectives.</p>	<p align="center">Concur</p>	<p>This recommendation has been partially implemented already. Full implementation will occur during the first quarter of 2006.</p>	<p>The Elections Section adopted a mission statement and a set of guiding principles in 2004 that are widely distributed to all staff, posted prominently at all elections' facilities, and included regularly in internal and external publications.</p> <p>Additionally, a 2005-06 Business and Operating Plan has been adopted. New employees are provided with a copy of the plan as part of the employee orientation process.</p>
<p>Recommendation 4 Elections Section management should assign staff to develop a comprehensive disaster plan to ensure the rapid and complete response and recovery of the county elections operations preceding, during, or following an emergency or disaster.</p>	<p align="center">Concur</p>	<p>The Elections Section adopted a Crisis Communication Plan prior to the 2005 primary. During the first quarter of 2006, this plan will be reviewed and revised to ensure it meets the elements noted in this recommendation.</p>	
<p>Recommendation 5 A draft event calendar should be completed and circulated at least six months before a primary or general election in the future in accordance with best election practices.</p>	<p align="center">Partially Concur</p>	<p>Election calendars for the 2006 primary and General Election will initially be prepared and distributed six months prior to the dates of the elections.</p>	<p>We concur with the recommendation on the importance and timing of developing an election calendar and task list.</p> <p>Assigned responsibility for the development, management and tracking of the election calendar should be addressed in the proposed reorganization model referenced in Recommendation 1.</p>

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>Recommendation 6 The REALS Division Director should ensure that the elections media plan is fully and effectively implemented to facilitate external communications and to help restore public confidence.</p>	<p align="center">Concur</p>	<p>This is an ongoing body of work and is addressed in the Elections Section Business and Operating Plan. The proposed strategy should be an element in all election planning efforts.</p>	<p>Prior to adoption of a reorganization proposal, the election calendar should remain the responsibility of the Superintendent of Elections. The Elections Section has an active communications strategy that includes media, internal communication, voter outreach, and regular contact with stakeholders.</p>
<p>Recommendation 7 The County Council should consider proposing changes to Washington State law that permit candidate filing to begin and end earlier—possibly 60 days prior to Election Day—to allow for more time to mail absentee ballots for primary elections. In addition, the council should consider proposing an earlier date for primary elections, possibly in early June or late May, and allotting more time (up to 28 days) for the canvass.</p>	<p align="center">Concur</p>	<p>The Executive has included this issue in a proposed motion pending before Council for adoption as part of the county's 2006 legislative agenda.</p>	
<p>Recommendation 8 None.</p>	<p align="center">N/A</p>	<p align="center">N/A</p>	<p>The county's current election management and voter registration system – DIMS Net – is identified by the Office of the Secretary of State as a compatible system with the statewide voter registration database currently being developed by that office.</p>
<p>Recommendation 9</p>	<p align="center">Concur</p>	<p>The Elections Section has</p>	<p>Voter registration procedures are in place</p>

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>The Elections Section should implement procedures to ensure that scanning of new voter registration signatures and correction of all voter registration files are completed before each election.</p>		<p>already complied with this recommendation.</p>	<p>to ensure complete scanning of new registration signatures and completion of list maintenance activity prior to each election.</p>
<p>Recommendation 10 The Elections Section should update its procedures annually, and create detailed procedure manuals for all critical election tasks. Priority in developing new, easy-to-use procedures should be given to those tasks that are generally assigned to temporary employees. In addition, the Elections Section should ensure that all workers have desktop procedures that contain as much detail as necessary so that employees have readily available information.</p>	<p align="center">Concur</p>	<p>The Elections Section has made significant progress in the area of updated and documented procedures. While this is an ongoing, dynamic body of work, a complete set of up-to-date, documented procedures for all elections functions will be in place by June 2006.</p>	<p>Updated procedures for canvassing, poll workers, voter hotline phone bank, absentee ballot processing, and provisional ballot processing have been adopted since the completion of the audit.</p>
<p>Recommendation 11 The Elections Section should continue instituting new control procedures for printing ballots on demand, such as using common ballot stock.</p>	<p align="center">Concur</p>	<p>The Elections Section has already complied with this recommendation.</p>	<p>New procedures and safeguards for the Ballot on Request process were documented and implemented for the 2005 primary.</p>
<p>Recommendation 12 The County Council should consider proposing language to amend RCW 29A.80.051 so that the rules for electing precinct committee officers are more closely aligned with those used</p>	<p align="center">Concur</p>	<p>The Executive will propose including this issue in the county's 2006 legislative agenda.</p>	

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p><i>in the State Constitution for election of superior court judges. If a precinct committee officer candidate files and is unopposed in the primary election, they should be declared the winner without qualifiers (i.e., margin of victory). This will allow precinct committee officer candidates to experience the election rituals of filing for candidacy without unnecessarily adding complexity to the ballot.</i></p>			
<p>Recommendation 13 <i>The Elections Section should consolidate and locate the entire phone bank in a single area with proximity to other voter services as well as provide sufficient phone lines and space for phone bank staff and supervisors. (Also see related procedural and training recommendations under Recommendation 14.)</i></p>	<p align="center">Concur</p>	<p>Implementing this recommendation is dependent upon addressing the facility needs for the entire elections operation.</p>	
<p>Recommendation 14 <i>The Elections Section should continue providing opportunities for hands-on training, role-playing, visualization of new procedures, questions and answer sessions in the future. In addition, the Elections Section should update detail procedure manual annually in the future and distribute it to all</i></p>	<p align="center">Concur</p>	<p>The Elections Section has already made significant progress in this area. Full implementation will be in place for the 2006 primary and General Election.</p>	<p>The Elections Section completely revamped the poll worker training program for the 2005 primary – including consultation and review of materials with a professional adult education consultant. New procedure manuals augmented the training, along with a mock polling place set-up to provide a relevant visual perspective of expectations.</p>

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p><i>poll workers.</i></p> <p>Recommendation 15 <i>The Elections Section should establish a poll worker performance tracking and evaluation program that can be used to improve poll worker performance through effective coaching, counseling and training. The DIMS poll worker module should be used to facilitate tracking of poll workers and issues so that follow-up actions are appropriately focused.</i></p>	<p align="center">Concur</p>	<p>The Elections Section will develop and implement a poll worker performance tracking system that can be tested during the 2006 special election cycle and fully implemented for the 2006 primary and General Election.</p>	
<p>Recommendation 16 <i>The Elections Section should continue to expand its efforts to recruit sufficient bilingual poll workers in compliance with Section 203 of the Voting Rights Act.</i></p>	<p align="center">Concur</p>	<p>The Elections Section has made significant progress in the area of bilingual poll worker recruitment. These efforts and the associated program are ongoing.</p>	<p>Targeted advertising through Chinese language newspapers and television stations, recruitment of bilingual county employees, assignment of roving bilingual support on election day, and a written language aid at each poll site were all utilized and/or implemented for the 2005 primary.</p>
<p>Recommendation 17 <i>The Elections Section should secure available funding from the Secretary of State's Office to retain a planner to complete a report documenting the accessibility status of its polling sites and to develop recommendations for improvement. Priority should be given to improving or moving poll sites, based on the report recommendations immediately after the 2005 general election</i></p>	<p align="center">Concur</p>	<p>The Elections Section has submitted a grant request to the Secretary of State seeking federal Help America Vote Act funding to hire a planner to complete this work. Target for completion is by the end of the first quarter 2006.</p>	

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>to comply with federal accessibility mandates by 2006. The planner should develop an effective notification process and materials for voters to ensure that they know what accessibility improvements to expect or where the alternate accessible poll sites are located well in advance of the spring 2006 elections.</p>			
<p>Recommendation 18 The County Council should consider proposing amendments to state statutes to allow final processing of absentee ballots one week prior to an election, but not releasing the official results until the poll ballots are counted on election night. Alternatively, the Elections Section should explore the cost and benefits of purchasing new tabulators to expedite the ballot count process.</p>	<p align="center">Concur</p>	<p>The Executive will propose including this issue in the county's 2006 legislative agenda.</p>	
<p>Recommendation 19 The Elections Section should ensure newly developed procedures are effective through their practical application during the 2005 election.</p>	<p align="center">Concur</p>	<p>The Elections Section has already implemented this recommendation in a beta format for the 2005 primary. The procedures will be reviewed and refined for the 2005 General Election and formally adopted for the 2006 election cycle.</p>	
<p>Recommendation 20 Elections Section management and the major King County political parties should continue</p>	<p align="center">Concur</p>	<p>The Elections Section will fully implement this recommendation for the 2006 primary and General Election.</p>	

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>to meet before future elections to discuss the specific election activities to be observed. The parties should be provided complete information on new developments, and any procedural changes for public observers, immediately prior to all future elections.</p>			
<p>Recommendation 21.1 <i>King County should acquire or lease a consolidated elections facility. The facilities should preferably accommodate a warehouse, the mail processing functions and elections administration. The county should discontinue the use of the current mail ballot operation satellite facility as soon as practical, and relocate the existing operations to a consolidated facility. If a consolidated facility is not available, a new facility should be leased to accommodate the space and security needs of the current functions conducted at the mail ballot operation satellite.</i></p>	<p>Concur</p>	<p>The Executive will continue ongoing efforts to seek Council approval for a consolidated elections facility. The Elections Section and the Facilities Management Division will continue to cooperate in these efforts – providing detailed and timely responses and information to support proposals presented to the Council.</p>	<p>The Executive transmitted a plan in June 2005 as part of the third quarter omnibus appropriation to fund a consolidated facility. The Council rejected that proposal and asked for additional research into the facility needs of the elections function.</p> <p>Efforts continue to identify available options that will meet the needs recognized in this recommendation at the lowest projected cost and within a reasonable timeframe.</p>
<p>Recommendation 21.2 <i>The Elections Section should implement the following security upgrades, and develop appropriate procedures as soon as possible:</i></p> <ul style="list-style-type: none"> ▪ <i>Uniformed security</i> 	<p>Partially concur</p>	<p>The REALS Division will contract for a professional security assessment during the first quarter of 2006 and submit a supplemental budget proposal during the second quarter to fund implementation of the</p>	<p>We concur with the premise of this recommendation. In particular, we concur with the final bullet recommending a security assessment of the many facilities currently utilized during the conduct of major elections.</p>

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>personnel should be present 24-hours per day, seven-days per week from the time un-voted ballots are delivered to elections facilities until completion of the canvass and certification of the election or until security is improved.</p> <ul style="list-style-type: none"> ▪ Election facilities should be locked at all times when either voted or un-voted ballots are present. The security company should be contacted in order to disable the alarms. ▪ Entry to an elections facility should be limited to those holding electronic keys. Some form of positive identification should be required for entry such as the card key. ▪ The caged areas and information technology areas should be electronically secured. Cages should extend all the way from the floor to the ceiling, and the ceiling should be wired. Motion detectors should be installed to monitor the perimeter of caged areas. Unauthorized access to the cage should trigger an 		<p>recommendations made in the security assessment.</p>	<p>The specificity of the other items should be included in the proposed assessment, and implementation should be prioritized based on the outcome of the assessment.</p> <p>We are limited in options to fully address the specific recommendations until more adequate, consolidated elections facilities are identified, funded and approved.</p>

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>alarm. Electronic and video records should be maintained to document who has entered the caged area.</p> <ul style="list-style-type: none"> ▪ Video cameras should also be placed in such a way that all elections activity is video taped. No ballots or sensitive materials should be processed or taken beyond the view of a video camera unless they are otherwise secured. ▪ A security assessment should be conducted of all existing facilities and for any newly acquired facilities. These assessments should be conducted by a certified professional specializing in facility security. 			
<p>Recommendation 22 The Elections Section should develop DIMS Net system control procedures to ensure that requests for new software applications and modifications are compatible with the DIMS Net data exchange software. The Elections Section should also develop policies and procedures to assure that software modifications incorporated within each version upgrade are analyzed and tested, allowing for possible</p>	<p>Concur</p>	<p>The recommended actions are part of ongoing technical support and management of the county's election management and voter registration system.</p>	

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p>changes in procedures or training prior to deployment to the county's live voter registration systems.</p>			
<p>Recommendation 23 The Elections Section should develop a strategic information technology plan to leverage its DIMS Net and other new technologies to support future election initiatives such as vote-by-mail and regional voting centers.</p>	<p align="center">Concur</p>	<p>The Elections Section will start the strategic planning process in the first quarter of 2006 with a final adopted plan by the end of the second quarter of 2006.</p>	
<p>Recommendation 24.1 The County Council should pursue a study exploring the programmatic and financial advantages and disadvantages of three election alternatives: exclusive voting by mail; a combination of voting by mail with regional polling centers; and maintaining the status quo. The study should include information from other large jurisdictions including the practical costs and benefits of voting by mail and the security issues involved. The County Council should consider establishing a target date in early 2007 to allow sufficient time for the development and preparation of the study as well as executive, legislative and public review of the study prior</p>	<p align="center">Concur</p>	<p>The Executive will cooperate in any action taken by the Council in response to this recommendation.</p>	

EXECUTIVE RESPONSE (Continued)

Recommendation	Agency Position	Schedule for Implementation	Comments
<p><i>to making a decision on a vote-by-mail policy. The council should also pursue state legislative amendments to permit early processing and/or tabulating of mail ballots prior to Election Day.</i></p>			
<p>Recommendation 24.2 <i>The Elections Section should evaluate implementing additional professional practices, consistent with those in Appendix 4. This should occur after filling and assessing the impact of the 14 new management and staff positions recently authorized by the County Council.</i></p>	<p align="center">Concur</p>	<p>The Elections Section will incorporate review of the best practices listed as well as others available through recognized election administration organizations in its ongoing planning.</p>	